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ZONING REGULATIONS

SOLANO COUNTY
PLANNING
DEPARTMENT

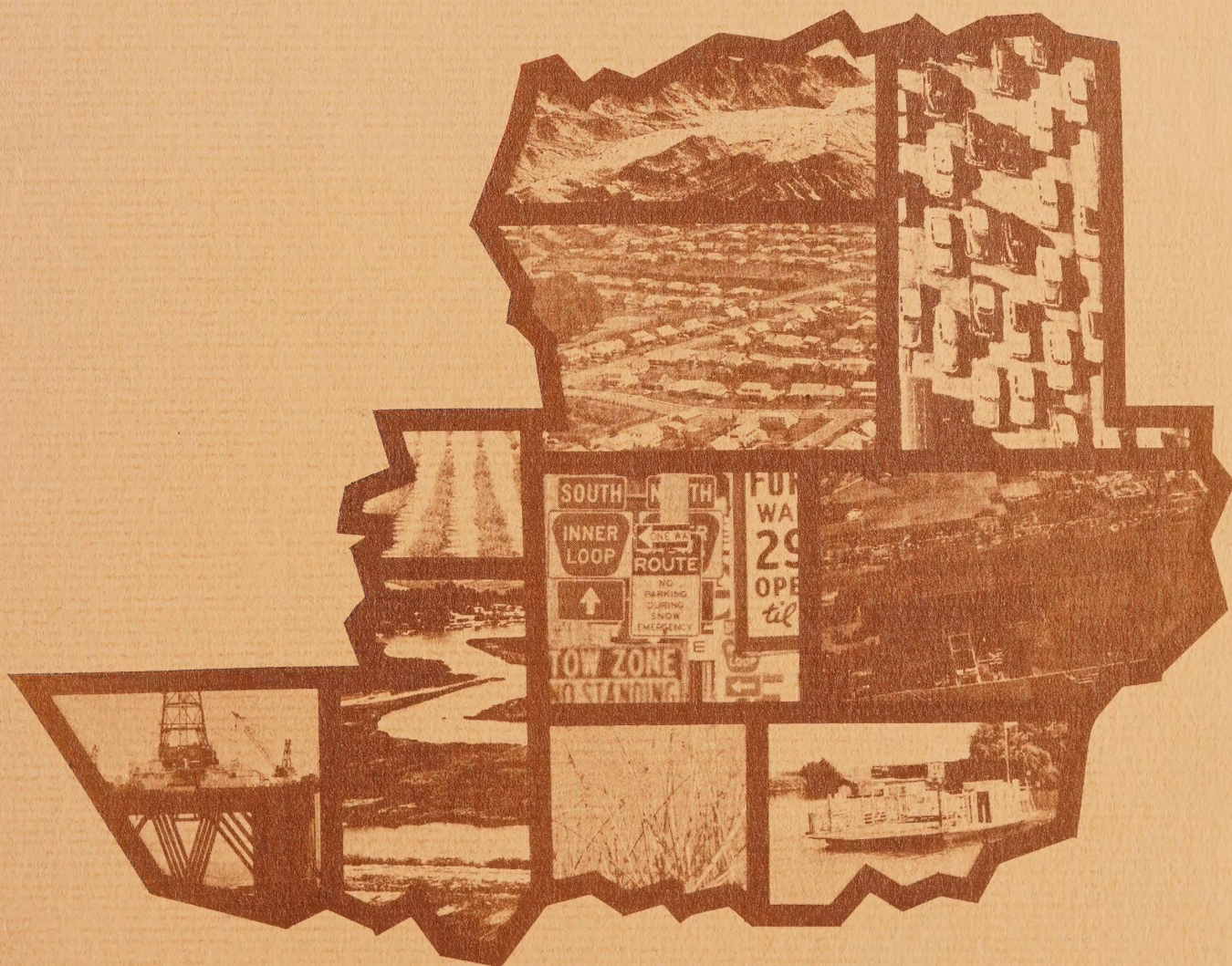
As of May 1980

CHAPTER 28 OF
THE CODE OF
SOLANO COUNTY

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ZONING REGULATIONS

COMPILED FROM CHAPTER 28 OF THE CODE
OF SOLANO COUNTY, CALIFORNIA

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This publication is a textual compilation of the Zoning Regulations effective as of May, 1980 (Ord. No. 1100) in the unincorporated areas of Solano County.

Zoning amendments enacted subsequent to this publication can be obtained and current zoning maps are available at the Solano County Planning Department, Courthouse, Fairfield, California 94533, Telephone Number (707) 429-6561.

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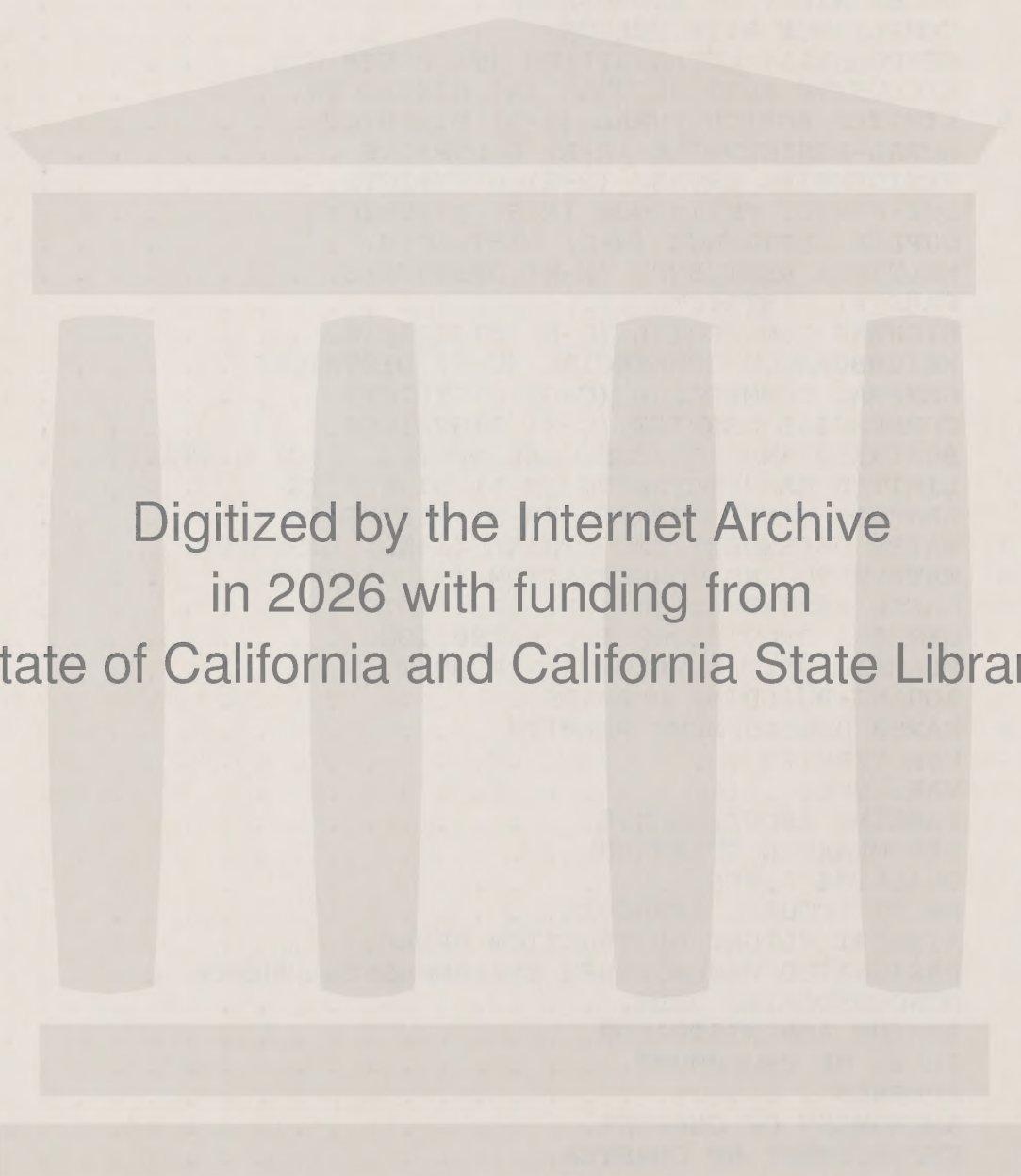
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For state law as to zoning, see Gov. C., Sec. 65800 et seq.

As to Planning Commission, see Secs. 2-25 to 2-28 of this Code.

As to compliance with subdivisions and other divisions of land,
see ch. 26.



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Sec. 28-1. DEFINITIONS.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Accessory use. A use naturally and normally incidental to and subordinate to the principle use of the land, and which does not change the character of the principal use.

Agriculture. The art or science of cultivating the ground, including harvesting of crops and rearing and management of livestock; tillage, husbandry, farming, horticulture and forestry; the science and art of the production of plants and animals useful to man.

Alley. A passage or way open to public travel, affording a secondary means of vehicular access to abutting lots, and not intended for general traffic circulation.

Animal, small. Chicken, turkey, rabbit, duck, mink, hamster, chinchilla, frog, fish, worm or other animals of a similar nature.

Animal Feed Yard. An animal livestock operation conducted on land under one ownership where twenty (20) or more animal units are corralled, penned, tethered or otherwise caused to remain in confinement in restricted areas for any period and for any purpose on a surface which is or becomes bare of any feed growing in place which has a reasonable grazing value, except that normal grazing activities, including incidental seasonal supplemental feeding operations, are excluded from this definition.

Animal hospital. A building wherein the care and treatment of sick or injured dogs, cats, rabbits, birds and similar small animals is given, but not including the boarding of animals that are not sick or injured.

Animal Units. The sum total of the units assigned to various animals pursuant to the table below:

<u>Type of Animal</u>	<u>Units Per Animal</u>
Mature cattle, horses or animals of similar size	1.00
Yearling cattle, horses or animals of similar size	.75
Calves, colts or animals of similar size	.40
Hogs more than 90 days old	1.00
Two or more litters of hogs	.50 per hog
One litter of hogs	None
Mature sheep, goats or animals of similar size	.20
Lambs, kids or animals of similar size	.15

Automobile parking lot. Premises on which operable and duly licensed automobiles are parked by their individual owners for a period not to exceed seventy-two hours.

Block. That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets or nearest intersection or intercepting streets and railroad right of way, unsubdivided acreage, watercourse or body of water.

Building. Includes structure.

Building, accessory. A subordinate building located on the same lot, the use of which is customarily incidental to that of the main building, or to the principal use of the land.

Building Height. Average height above the finished grade of the highest part of the building.

Building, main. A building in which is conducted the principal use of the building site on which it is situated. In any residential district, any dwelling shall be deemed to be a main building site on which the same is situated.

Building site. The ground area of building or buildings, exclusive of the street, together with all open space required by this chapter and having its principal frontage on a street.

Camp grounds. Land or premises which is used or intended to be used, let or rented for occupancy by campers traveling by automobile or otherwise, or for temporary occupancy by tents or similar quarters.

Clinic, medical and dental. A building wherein a staff of doctors with necessary assistants and equipment conduct the examination and treatment of out-patients.

Commercial Coach. A vehicle with or without motive power designed and equipped for human occupancy for industrial, professional or commercial purposes.

Community Care Facility. Any facility, place or building for seven or more persons which is maintained and operated to provide non-medical residential care, day care, or homefinding agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, or incompetent persons; and includes Residential Facility, Residential Care Facility for Elderly, Day Care Center, Homefinding Agency and Foster Family Home.

Club. All clubs except those the chief activity of which is a service customarily carried on as a business.

Corporation yard. Buildings and premises for storage of construction materials and machinery used by the operator of the corporation yard in the conduct of his business.

County boundary. The boundary of the county or the boundary of any unincorporated municipality within the county.

Courts. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two or more sides by such building or buildings.

Duplex. A detached building, under one roof, designed for, or occupied exclusively by, two families living independently of each other and separated by a common wall or floor.

Dwelling, multiple. A building or portion thereof, used or designed as a residence for three or more families living independently of each other, and doing their own cooking in such building, including apartment houses and flats.

Dwelling, one-family. A detached building designed for, or occupied exclusively by, one family.

Dwelling groups. A group of two or more detached or semidetached one-family, two-family or multiple-family dwellings occupying a parcel of land in one ownership, and having any yard or court in common.

Dwelling unit. A room or suite of rooms which is designed for, or occupied by one family doing its cooking therein.

Erosion. Detachment and movement of soil or rock fragments by water, wind, ice and gravity.

Family. One or more persons occupying a premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary servants.

Farm labor quarters. Rooming and boarding houses and mess halls for any number of farm help customarily employed on land owned by the owner of the building site occupied by such houses or halls.

Garage, private. An accessory building for the storage of private motor vehicles; an accessory use incidental to the main building.

Guest house. Detached living quarters of a permanent type of construction, without kitchens or cooking facilities, clearly subordinate and incidental to the main building on the same building site, and not to be rented, let or leased, whether compensation be direct or indirect.

Horse Show. Includes a public stable and in addition includes the conduct of riding exhibitions and other similar events and activities where more than 12 horses participate at one time.

Junk yard. The use of more than two hundred square feet of area of any parcel, lot or contiguous lots for the storage of junk or salvable material, including junk metals or other scrap materials and for the storage, dismantling or "wrecking" of automobiles or other vehicles or machinery.

Labor camps. Any living quarters, dwelling, boarding house, tent, bunkhouse, maintenance-of-way car, trailer coach or other housing accommodations maintained in connection with any work or place where work is being performed and the premises upon which they are situated or the area set aside and provided for camping of five or more employees by a labor contractor. Labor camp shall also mean a labor supply camp.

Labor supply camp. Any place, area or piece of land where a person engages in the business of providing sleeping places or camping grounds for five or more employees or prospective employees of another.

Lot. Includes plot.

Lot, Key. The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot, exclusive of the width of any alley, and fronting on the street which intersects or intercepts the street upon which the corner lot fronts.

Mobilehome. A vehicle, other than a motor vehicle, designed and constructed to travel on the public thoroughfares in accord with the provisions of the Vehicle Code of the State, designed and equipped to contain one or more dwelling units which, if placed on a permanent foundation, would be contrary to the building regulations of Solano County, and which is in excess of eight (8) feet in width, or in excess of 40 feet in length.

Mobilehome park. Any area or tract of land where one or more mobile-home lots are rented or leased or held out for rent or lease to accommodate mobilehomes used for human habitation. The rental paid for any such mobilehome shall be deemed to include rental for the lot it occupies.

Office, business. An office which has as its main function the arrangement of business transactions, the holding of sales meetings and administrative conferences, the receiving of client payments and the keeping of records and accounts pertaining to the particular business.

Office, professional. An office from which a doctor, lawyer, engineer or architect, etc., may offer services.

One ownership. Ownership of property or possession thereof, under a contract to purchase or under lease, the term of which is not less than ten years, by a person, individually, jointly in common or in any other manner whereby such property is under single or unified control.

Owner. The person exercising one ownership as herein defined.

Parking space. A usable and accessible space for parking of a standard sized motor vehicle off the street.

Planning commission. The county planning commission of Solano County.

Public service facility. Any use of land by a governmental or public utility agency which has the power of eminent domain, or any land use of a public or quasi-public nature which is found by the planning commission to be necessary for the public health, safety, convenience or welfare.

Recreational vehicle. A vehicle which is a motor home, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation, for recreation, travel accommodation purposes or emergency occupancy, and which is not defined herein as a mobilehome or commercial coach.

Recreational vehicle park. Any area or tract of land within an area zoned for recreational use where one or more lots are rented or leased, or held out for rent or lease to owners or users of recreational vehicles, and which is occupied for temporary periods of time.

Remnant parcel. Area under one or more ownerships of four acres or less in aggregate area which has been isolated by public right of way or publicly acquired land or both.

Riparian Habitat. The waterside environment where various plant and animal populations are endemic, existing as a result of the existence of the watercourse, or where such populations can be established due to the existence of the watercourse.

Road. See street.

Rooming or boarding house. A dwelling other than a hotel where lodging or meals or both for four or more persons are provided for compensation.

Rural resident enterprise. A small commercial or industrial land use, exclusive of agriculture, on the same parcel as the resident family in a rural area.

Sedimentation. The process by which mineral or organic matter is removed from its site of origin, transported, and deposited by water, wind or gravity.

Sign, general advertising. Shall mean any sign for out-of-door advertising purposes which is not appurtenant to the property it occupies.

Sign, on-site. A sign attached to a building or placed on the premises within fifty feet of a building, which is clearly appurtenant to the use of the premises or building.

Stable, Private. A structure for the shelter, care or feeding of horses used primarily by the resident family and not used for commercial purposes.

Stable, Public. Any premises on which horses are boarded, trained or rented for commercial purposes or upon which a horse riding school or club is conducted, provided that not more than 12 horses participate in a training exercise or riding exhibition at one time.

Street. A street, road, highway, thoroughfare, drive, lane or way affording the principal means of access to abutting property, and dedicated to, or maintained by city, county or state government, or a private street, road, highway, thoroughfare, drive, lane or way affording the principal means of access to abutting property.

Structural alterations. Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Structure. Anything constructed or erected, except fences under six feet in height, the use of which requires location on or in the ground or attachment to something having location on or in the ground, but not including any trailer or tent.

Temporary commercial coach site. Premises which are used for temporary occupancy and upon which one or more occupied commercial coaches are located for temporary predetermined periods.

Temporary mobilehome site. Premises which are used for temporary occupancy and upon which one or more inhabited mobilehomes are located for temporary predetermined periods.

Use. The purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is, or may be, occupied or maintained.

Watercourse. Any natural or man-made channel for transporting water, including the streambed and the banks, whether continuously flowing or intermittent.

Wrecking yard. See junk yard.

Yard. An open space other than a court on the same building site with a building, which open space is unoccupied and unobstructed from the ground upward, except for landscaping, but not including any portion of any street or alley or road right of way.

Yard, front. A yard extending across the front of the lot between the side lot lines and to a depth required by the district in which the lot is situated.

Yard, rear. A yard extending across the back of the lot between the side lot lines and to a depth required by the district in which the lot is situated.

Yard, side. A yard between the side line of the lot and the building and to a width required by the district in which the lot is situated, and extending from the front yard to the rear yard.

Sec. 28-2. PURPOSE OF ZONING PLAN.

A zoning plan is adopted to provide a precise plan for residential, commercial, industrial, agricultural, public and other land uses in the county in order to:

- (a) Protect the established character and social and economic values of agricultural, residential, commercial, industrial, recreational and other areas within the county which have developed in a healthy and orderly manner;
- (b) Encourage beneficial development of those areas which have grown with conflicting or uneconomic patterns of use; and
- (c) Assist in providing a definite and publicly approved plan of development to guide, control and stimulate the future growth of the county in accordance with the need of the county and in proper relation to other land use areas in the region.

Sec. 28-3. INTERPRETATION OF CHAPTER.

In their interpretation and application, provisions of this Chapter shall be held to be minimum requirements, except where they are expressly stated to be maximum requirements.

Sec . 28-4. DISTRICTS DESIGNATED AND ESTABLISHED

- (a) The several districts established by this chapter and into which the county is divided are designated as follows:

T Districts -- TEMPORARILY UNCLASSIFIED DISTRICTS.
A Districts -- EXCLUSIVE AGRICULTURAL DISTRICTS.
R-R Districts -- RURAL-RESIDENTIAL DISTRICTS.
R-E Districts -- ESTATE RESIDENTIAL DISTRICTS.
R-S Districts -- ONE FAMILY RESIDENTIAL DISTRICTS.
R-D Districts -- DUPLEX RESIDENTIAL DISTRICTS.
R-M Districts -- MULTIPLE FAMILY RESIDENTIAL DISTRICTS.
P Districts -- PARK DISTRICTS.
C-H Districts -- HIGHWAY COMMERCIAL DISTRICTS.
C-N Districts -- NEIGHBORHOOD BUSINESS DISTRICTS.
C-G Districts -- GENERAL COMMERCIAL DISTRICTS.
C-S Districts -- COMMERCIAL SERVICE DISTRICTS.
C-O Districts -- BUSINESS AND PROFESSIONAL OFFICE DISTRICTS.
M-L Districts -- LIMITED MANUFACTURING DISTRICTS.
M-G Districts -- GENERAL MANUFACTURING DISTRICTS.
W Districts -- WATERSHED AND CONSERVATION DISTRICTS.

- (b) The aforesaid districts are hereby established insofar as the designations, locations and boundaries thereof are set forth and indicated in this section, and in other sections of this chapter which describe certain of said districts. Section 28-6 consists of a series of maps, each entitled "Solano County Zoning Maps" identified by a number and a letter. Such maps and all notations, references, data and other information shown thereon are hereby adopted and made part of this chapter.

Section 28-5. INDEX MAPS.

The Contents of this section have been repealed by Ordinance No. 989.

Section 28-6. ZONING MAPS.

The zoning maps shall consist of a series of maps which show the zoning plan being parts of this chapter under the provisions of Section 28-4, and are hereby designated as follows:

1-N	4-N	7-N	----	13-N	16-N	19-N	22-N
1-S	4-S	7-S	10-S	13-S	16-S	19-S	22-S
2-N	---	8-N	11-N	14-N	17-N	20-N	23-N
2-S	5-S	8-S	11-S	14-S	17-S	20-S	23-S
3-N	6-N	9-N	12-N	15-N	18-N	21-N	
3-S	6-S	9-S	12-S	15-S	18-S	21-S	

Sec. 28-7. UNCERTAINTY OF BOUNDARIES.

Where uncertainty exists as to the boundaries of any of the districts described in this chapter, or as shown on the zoning maps, the Planning Commission, upon written application or upon its own motion, shall determine the location of such boundaries.

Sec. 28-8. COMPLIANCE WITH CHAPTER.

Except as hereinafter otherwise provided:

- (a) No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land, building or premises to be used, designated or intended to be used for any purpose or in any manner other than is included among the uses listed in this chapter as permitted in the district in which such building, land or premises is located.
- (b) No building shall be erected, reconstructed or structurally altered to exceed in height the limit designated in this chapter for the districts in which such building is located.
- (c) No building shall be erected, nor shall any existing building be altered, enlarged or rebuilt, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area and building location regulations designated in this chapter for the district in which such building or open space is located.
- (d) No yard or other open space provided about any building for the purpose of complying with the provisions of this Chapter shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site.

Sec. 28-9. TEMPORARILY UNCLASSIFIED (T) DISTRICTS.

- (a) All the unincorporated territory of the county not indicated to be used for precise districts of agriculture, residential, park, commercial and manufacturing, as are designated on the zoning maps, shall be temporarily designated as T districts. These areas have not yet been studied sufficiently to justify precise zoning; therefore, precise zoning is deferred until such time as complete studies may be made and zoning maps are completed and adopted as a part of this chapter.
- (b) Uses allowed:
 - (1) All uses as permitted in A districts, Section 28-10; except, that those uses indicated in Section 28-10 (c), may be established only after a use permit shall have first been secured.
 - (2) One-family dwelling not including tents.
 - (3) Buildings and uses clearly accessory or incidental to any allowed use.
- (c) Uses permitted, provided the conditions for a use permit, as set forth in Section 28-27, are fulfilled:

All uses not indicated under subsection (b).
- (d) Minimum building setback distance: Not less than fifty feet from the center line of the street, or less than twenty feet from the street right-of-way line, whichever is greater.
- (e) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos and private water tanks; and provided further, that no such structure shall exceed the heights allowed in Section 28-33, if located in an airport flight obstruction area.
- (f) Minimum side yard required: Twenty feet.
- (g) Minimum rear yard required: Twenty-five feet.

Sec. 28-10. EXCLUSIVE AGRICULTURAL (A) DISTRICTS.

- (a) The Board of Supervisors finds that agriculture is a major industry of the county, and that for the protection of agriculture and in order to prevent further encroachment upon it by incompatible uses of property, and for the general welfare of the county as a whole, there is hereby created a zone classification within which agriculture shall be encouraged to the exclusion of such other uses of land as may be in conflict therewith. Therefore, the provisions of this section shall be liberally interpreted insofar as they apply to agricultural pursuits and services to the end that no other use shall be permitted and no regulation shall be deemed or construed to interfere with any normal accessory use conducted in conjunction therewith. It is the intention of this section to deter developers from considering lands in an A-10, A-20, A-40, A-80 or A-160 exclusive agricultural zone as potential urban or suburban property, to provide maximum protection to existing and future agricultural enterprisers from restrictions instituted at the request of present or future residents, and to encourage in every way the highest and best agricultural use of the lands so classified, including the necessary residences for farm labor and other similar uses necessary and incidental thereto.

It is expressly understood that areas A-10, A-20, A-40, A-80 or A-160, exclusive agricultural in accordance herewith, shall be used exclusively for agriculture. It is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future.

Use permits may be issued authorizing use of part of the land in such zones for recreational, educational, religious or necessary public service purposes as provided herein, where and to the extent that such are necessary to serve such zones or the community where alternate sites are not available and, provided, such issuance and use shall not in any sense invalidate such exclusive zoning classification or designation.

The purpose and intent of the A district is to preserve lands best suited for permanent agricultural use from the encroachment of incompatible uses. Changes of zone from A-10, A-20, A-40, A-80 or A-160 to another classification are to be made only where such uses are in accord with the General Plan, and where it has been clearly demonstrated that such agricultural land is needed for urban expansion and there is no other land available, and that utilities, road access and public facilities are readily available so that orderly development may occur.

(b) Uses allowed:

- (1) Agricultural; except, that those uses indicated in subsection (c) of this section may be established only after a use permit shall have first been secured.
- (2) Roadside stand for the sale of agricultural products grown or produced on the premises when located not less than eighty feet from the center line of the street.
- (3) Processing of products produced on the premises.
- (4) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a farm residence, barns, private stable, sheds and other farm buildings, and one (1) guest house.
- (5) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
- (6) Signs not exceeding six square feet in area for each building site advertising the sale or lease of property upon displayed.
- (7) Oil and gas wells when located not less than one hundred fifty feet from the center line of the street.

(c) Uses permitted provided the conditions for a use permit as set forth in Section 28-27 are fulfilled:

- (1) Animal feed yard.
- (2) Processing of agricultural products other than those produced on the premises, but not including commercial or industrial enterprises not in harmony with the agricultural environment.
- (3) Dumping, disposal, incineration or reduction of refuse.
- (4) Farm labor quarters or labor camp.
- (5) Commercial kennel for dogs or cats.
- (6) Cemetery, crematory, mausoleum, columbarium.
- (7) Airport and heliport.
- (8) Public stable, horse show, lodge, club or resort for swimming, boating, fishing, hunting or shooting, and similar types of uses as may be determined by the Planning Commission.

- (9) Public service facility, nursery school, church, or nursing home.
- (10) Oil and gas wells when located within one hundred fifty feet of the center line of the street.
- (11) Roadside stand for the sale of agricultural products grown or produced on the premises when located within eighty feet of the center line of the street.
- (12) Rural resident enterprise.
- (13) Agricultural service uses; provided, that such uses are limited to:
 - a. Bulk storage or sale of products such as fertilizers, chemicals for weed and insect control, petroleum products, seeds, animal feeds, fencing material, pipe and stakes, the primary purpose of which clearly serves commercial agriculture.
 - b. Corporation yard for storage and maintenance of equipment or supplies used in the conduct of services peculiar to agriculture such as trucking of farm crops and products including milk, grain, tomatoes, sugar beets and the like or conduct of a custom farm service including spraying, land leveling, harvesting and irrigation operations.
 - c. Farm machinery repair, including all those services normally conducted in a machine, general repair or welding shop, the primary purpose of which clearly serves commercial agriculture.
 - d. Animal hospitals or veterinarian services.
- (14) Additional dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the site.
- (15) Fertilizer plant and yards including composting.

(d) Minimum parcel area required:

<u>ZONE</u>	<u>MINIMUM PARCEL AREA</u>
A-10	10 acres
A-20	20 acres
A-40	40 acres
A-80	80 acres
A-160	160 acres

- (e) Minimum front yard required: Thirty feet; except, that buildings shall not be less than fifty feet from the center line of the street and unless otherwise indicated by building lines on the zoning maps.

- (f) Minimum side yard required: Twenty feet.
- (g) Minimum rear yard required: Twenty-five feet.
- (h) Special yards and distances between buildings required:
Accessory buildings shall not be less than sixty feet from the front property line, nor less than twenty feet from any side or rear property line, nor less than ten feet from any dwelling unit on the property.
- (i) Maximum building height: Thirty-five feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, private water tanks; provided further, that no such structure shall exceed the heights allowed in Section 28-33, if located in an airport flight obstruction area.

Sec. 28-10.6. LIMITED AGRICULTURAL (A-L) DISTRICTS.

- (a) The Board of Supervisors finds that agriculture is an essential natural resource which is a major contributor to the economic well-being of Solano County. In addition, certain agricultural lands serve an important function in buffering contiguous environmentally sensitive lands from the effects of urbanization. In order to prevent further encroachment upon such agricultural lands by incompatible uses of property and for the general welfare of the County as a whole, there is hereby created a zone classification within which limited agriculture shall be encouraged to the exclusion of such other uses of land as may be in conflict therewith.

The provisions of this section shall be strictly interpreted to provide maximum protection to such agricultural areas. It is the intention of this section to deter developers from considering lands within the A-L zone as a potential urban development property, and it is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future.

The purpose and intent of the A-L district is to preserve lands best suited for permanent agricultural use while limiting certain intensive agricultural practices which may conflict with adjoining sensitive lands. Types of uses encouraged within A-L districts are extensive agricultural operations consisting primarily of grain and hay crop production, irrigated and non-irrigated pasture, and grazing operations harmonious with adjoining marshes, wetlands, grasslands, or other sensitive lands.

A primary intent of the A-L district is to assure the retention of upland and lowland grasslands adjacent to the Suisun Marsh in uses compatible with its protection. Any development within the Suisun Marsh as defined by Section 29114 of the Public Resources Code, may be subject to obtaining a Marsh Development Permit pursuant to the Suisun Marsh Preservation Act of 1977, and as provided for in Section 28-26.5 of this Code.

(b) Uses allowed:

- (1) Agricultural uses, with emphasis on grain and hay crop production, pasture and grazing, except that those uses indicated in subsection (c) of this section may be established only after a use permit shall have first been secured.
- (2) Processing of products produced on the premises.
- (3) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a farm residence, barns, private stable, sheds, and other farm buildings, and one (1) guest house.

- (4) Three (3) on-site signs with a total combined area of 60 square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (5) Signs not exceeding six square feet in area for each building site advertising the sale or lease of property upon display.
 - (6) Oil and gas wells, when located not less than 150 feet from the center line of the street.
- (c) Uses permitted, provided the conditions for a use permit as set forth in section 28-27 are fulfilled:
- (1) Animal feed yard, poultry operation of more than 100 birds, commercial kennel for dogs or cats.
 - (2) Dumping, disposal, incineration, or reduction of refuse.
 - (3) Airport and heliport.
 - (4) Public stables, horse show, lodge, club or resort for swimming, boating, fishing, hunting or shooting, and similar types of uses as may be determined by the Planning Commission.
 - (5) Public service facility.
 - (6) Oil and gas wells when located within 150 feet of the center line of the street.
 - (7) Rural resident enterprise.
 - (8) Additional dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the site.
 - (9) Removal or transportation of minerals or natural materials.
- (d) Minimum parcel area required:

<u>ZONE</u>	<u>MINIMUM PARCEL AREA</u>
A-L - 80	80 Acres
A-L - 160	160 Acres

- (e) Minimum front yard required: Thirty (30) feet; except that buildings shall not be less than 50 feet from the center line of the street, and unless otherwise indicated by building lines on the zoning maps.

- (f) Minimum side yard required: Twenty (20) feet.
- (g) Minimum rear yard required: Twenty-five (25) feet.
- (h) Special yards and distances between buildings required:
Accessory buildings shall not be less than 60 feet from the front property line, nor less than 20 feet from any side or rear property line, nor less than 10 feet from any dwelling unit on the property.
- (i) Maximum building height: Thirty-five (35) feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, private water tanks; and provided further, that no such structure shall exceed the heights allowed in Section 28-33 of this Code if located in an airport flight obstruction area.

Sec. 28-11. RURAL RESIDENTIAL (R-R) DISTRICTS.

- (a) The purpose and intent of the rural residential district is to provide areas for single-family homes in a rural setting for persons who desire to live in a rural environment but who are not solely engaged in commercial agriculture. The rural residential districts shall not be applied to intensive (prime) agricultural lands or to extensive (non-prime) agricultural lands, but shall be applied to areas that have low capability for agricultural production while being desirable for rural homesites. The rural residential districts shall not be applied to areas with a high risk of wild fires, landslides, or flood hazards. It is the intent that only minimal public facilities and services essential to the health, safety, and welfare of present and future residents be provided in the rural residential districts. Homesites are to be self-sufficient, with individual wells and private sewage disposal systems. Public sewers and community package sewer systems are not intended to be installed or established in the rural residential districts. Homesites served by individual private wells and septic tanks shall have a minimum parcel size of five (5) acres. Homesites served by a public water supply and an individual private sewage system shall have a minimum parcel size of two and one-half (2 1/2) acres. It is intended that the rural residential districts be uniformly applied in specifically designated areas outside of agricultural districts so as to keep potential conflicts to a minimum. Areas of low capability for agricultural production which abut productive agriculture or abut areas well suited for agriculture or grazing lands, would be those reviewed for designation as R-R-10 Districts. Those non-productive lands which do not abut productive agricultural lands would be those reviewed for designation as R-R-5 or R-R-2 1/2 Districts; provided, any such uses are in accord with the General Plan.
- (b) Uses allowed:
- (1) One-family dwelling, not including tents or mobile homes.
 - (2) Rooming and boarding of not more than three persons per dwelling unit.
 - (3) Growing of crops or plants useful to man.
 - (4) Roadside stand for the sale of products grown or produced on the premises when located not less than eighty (80) feet from the center line of the street.
 - (5) Small animal husbandry; provided, that not more than one hundred (100) poultry shall be kept.

- (6) The grazing or keeping of animals provided that the number of animal units shall not exceed two animal units per net acre of the ownership and an animal feed yard shall not be established.
 - (7) The raising of hogs incidental to a residence; provided, that:
 - a. The parcel upon which the hogs are kept shall contain a minimum of two (2) net acres.
 - b. The total number of hogs kept on such parcel shall not exceed three (3), one of which may be a brood sow.
 - c. In the event that the brood sow farrows, the litter resulting therefrom shall be allowed to remain on the premises until the litter is weaned, but in no event for a period longer than ninety (90) days.
 - d. The hogs shall be kept in a clean and sanitary manner, free of offensive odors, flies and rodents as shall be determined by the County Department of Public Health.
 - e. The hogs shall be kept within a secure enclosure which is located within the rear half of the parcel and maintained at least one hundred fifty (150) feet from any dwellings on adjacent property, and at least one hundred (100) feet distant from any water well.
 - (8) Three (3) on-site signs with a total combined area of sixty (60) square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (9) Signs, not to exceed six (6) square feet in area, for each building site advertising the sale or lease of property upon which displayed.
 - (10) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including barns, private stables, sheds, and other buildings; one (1) guest house.
- (c) Uses permitted; provided, the conditions for a use permit as set forth in Section 28-27 are fulfilled:
- (1) Public stable, horse show or commercial kennel for dogs or cats.

- (2) Cemetery, crematory, mausoleum and columbarium.
 - (3) Tract office, for a period to be specified in the use permit.
 - (4) Public service facility, nursery school, church, nursing home or community care facility.
 - (5) Oil and gas wells.
 - (6) Sign not to exceed 300 square feet in area advertising the sale of a subdivision.
 - (7) Rural resident enterprise.
- (d) Maximum building height: Thirty-five (35) feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos and private water tanks; provided further, that no such structures shall exceed the heights allowed in Section 28-33 if located in an airport flight obstruction area.
- (e) Minimum parcel area and minimum average parcel required:
- | <u>Zoning</u> | <u>Minimum Building
Site Area</u> | <u>Minimum Average
Parcel Width</u> |
|---------------|---------------------------------------|---|
| R-R 2½ | 2½ acres | 165 feet |
| R-R-5 | 5 acres | 235 feet |
| R-R-10 | 10 acres | 330 feet |
- (f) Minimum front yard required: Not less than thirty (30) feet, except that buildings shall be not less than fifty (50) feet from the center line of the street, and unless otherwise indicated by building lines on the zoning maps.
- (g) Minimum side yards required: Ten (10) feet.
- (h) Minimum rear yard required: Twenty-five (25) feet.
- (i) Special yards and distances between buildings required: Accessory buildings shall be not less than sixty (60) feet from the front property line, nor ten (10) feet from any side of rear property line, nor ten (10) feet from any dwelling unit on the property.

Sec. 28-12. RESIDENTIAL ESTATE (R-E) DISTRICTS.

- (a) The regulations for this district are designed to stabilize and protect the residential characteristics of the district, to promote and encourage a suitable environment for family life where children are members of many families. The R-E district is to be used only for suburban single-family homes and the community services appurtenant thereto.
- (b) Uses allowed:
 - (1) One-family dwellings, not including tents or mobile-homes.
 - (2) Agriculture, but not including the raising of any animals for commercial purposes nor the sale of any product at retail on the premises.
 - (3) Private stable.
 - (4) Buildings and uses clearly accessory or incidental to any permitted use, including servants' quarters and noncommercial guest houses.
 - (5) Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
 - (6) Nameplates and nonilluminated signs not exceeding two square feet appurtenant to any permitted use.
- (c) Uses permitted provided the conditions for a use permit as set forth in section 28-27, are fulfilled:
 - (1) Public service facility.
 - (2) Nursery school, church, nursing home, rest home or community care facility.
 - (3) Automobile parking lot, when adjacent to any C or M districts.
 - (4) Tract offices, for a period to be specified in the use permit.
 - (5) Signs not over three hundred square feet advertising the sale of a subdivision.
- (d) Maximum building height: Thirty-five feet.
- (e) Minimum areas, yards and other conditions: Minimum building site areas in this district shall include any of the following. Upon the designation of an area to a particular building site area, such designation shall be used as a suffix to the R-E designation.

ZONE	MIN. BLDG. SITE AREA (sq. ft.)	AV. MIN. SITE WIDTH (feet)	MINIMUM YARDS (feet)		
			FRONT	SIDE	REAR
R-E-1/4	10,000	80	20*	10 ft.	25
R-E-1/3	15,000	100	30*	15% site width up to 20 ft.	25
R-E-1/2	20,000	100	30*	15% site width up to 20 ft.	25
R-E-1	1 acre	120	30*	15% site width up to 25 ft.	25

*Except that buildings shall be not less than fifty feet from the center line of the street, and unless otherwise indicated by building lines on the zoning maps.

Sec. 28-13. ONE-FAMILY RESIDENCE (R-S) DISTRICTS.

- (a) The regulations for this district are designed to stabilize and protect the residential characteristics of the district, to promote and encourage a suitable environment for family life where children are members of many families. The R-S district is intended to be used only for urban single-family homes and the community services appurtenant thereto. The minimum five thousand square foot designation shall be used only in areas where this lot size is in use prior to the enactment of this chapter. New districts hereinafter created shall provide building sites of not less than six thousand square feet.
- (b) Uses allowed:
 - (1) One-family dwellings, not including tents or mobilehomes.
 - (2) Rooming and boarding of not more than three persons.
 - (3) Unilluminated nameplates not over two square feet when appurtenant to any permitted use. Signs not exceeding six square feet in area, for each building site advertising the sale or lease of property upon which displayed.
 - (4) Buildings and uses clearly accessory or incidental to any permitted use, including one noncommercial guest house on a minimum building site of seventy-five hundred square feet.
- (c) Uses permitted, provided the conditions for a use permit as set forth in Section 28-27 are fulfilled:
 - (1) Automobile parking lot, when adjacent to any C or M districts.
 - (2) Tract office for a period to be specified in the use permit.
 - (3) Signs not over three hundred square feet, advertising the sale of a subdivision.
 - (4) Public service facility.
 - (5) Nursery school, church, nursing, rest home or community care facility.
- (d) Minimum areas, yards and other conditions: Minimum building site areas required shall include any of the following. Upon the designation of an area to a particular minimum site area, such designation shall be used as a suffix to the R-S designation.

ZONE	MIN. BLDG. SITE AREA (sq. ft.)	AVERAGE SITE WIDTH (feet)		MINIMUM YARDS (feet)		TOTAL SIDE YDS. (feet)
		Interior	Corner	Front	Side	
R-S 5	5,000	50	60	20*	5	10
R-S 6	6,000	60	70	20*	5	15
R-S 7.5	7,500	75	75	25*	5	15

*Unless otherwise indicated by building lines on the zoning maps.

(e) Minimum rear yard required: Twenty per cent of the lot depth to a maximum requirement of twenty-five feet; provided, that no rear yard shall be less than fifteen feet.

(f) Maximum building height: Thirty-five feet.

Sec. 28-14. DUPLEX RESIDENCE (R-D) DISTRICTS.

- (a) The R-D district is designated for certain medium-density residential areas, where a compatible mingling of single unit and dual-unit dwellings is likely to occur. The regulations for this district are designed to stabilize and protect the essential residential characteristics of the district, to promote and encourage a suitable environment for family life.
- (b) Uses allowed:
 - (1) One-family dwellings, not including tents or mobilehomes.
 - (2) Duplex or second dwelling; provided, that a minimum of three thousand square feet of land area is required for each dwelling unit, existing and proposed.
 - (3) Rooming and boarding of not over three persons for each dwelling unit.
 - (4) Unilluminated nameplates not over two square feet when appurtenant to any permitted use. Signs not exceeding six square feet in area for each building site advertising the sale or lease or property upon which displayed.
 - (5) Buildings and uses clearly accessory or incidental to any permitted use.
- (c) Uses permitted provided the conditions for a use permit as set forth in section 28-27, are fulfilled:
 - (1) Off-street parking lot when adjacent to any C or M district.
 - (2) Tract office for a period to be specified in the use permit.
 - (3) Sign not over three hundred square feet advertising the sale of a subdivision.
 - (4) Public service facility.
 - (5) Nursery school, church, nursing home, rest home, or community care facility.
- (d) Maximum building height: Main building, thirty-five feet; accessory buildings, fifteen feet.
- (e) Minimum building site area required: Five thousand square feet for one-family dwellings; six thousand square feet for two families on one building site.
- (f) Average building site width required: Sixty feet on corner lot; fifty feet on interior lot.

- (g) Minimum front yard required: Twenty feet unless otherwise indicated by building lines shown on the zoning maps.
- (h) Minimum side yard required: Five feet.
- (i) Minimum rear yard required: Twenty per cent of the lot depth to a maximum requirement of twenty-five feet; provided, that no rear yard shall be less than fifteen feet.
- (j) Distances between buildings: Where two separate single-family dwellings are located on one lot, there shall be minimum distance of ten feet between such buildings placed side by side and twenty feet between such buildings placed in any other manner.

Sec. 28-15. MULTIPLE RESIDENCE (R-M) DISTRICTS.

- (a) The R-M district is designated in certain areas primarily for high-density residential uses of a multiple-dwelling nature and the community services appurtenant thereto. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life.
- (b) Uses allowed:
 - (1) One-family dwellings, not including tents or mobilehomes.
 - (2) Duplexes.
 - (3) Multiple dwellings and dwelling groups, rooming and boarding houses.
 - (4) Signs not exceeding six square feet in area, for each dwelling site, advertising the sale or lease of property upon which displayed. Nameplates not to exceed two square feet when appurtenant to any permitted use.
 - (5) Buildings and uses clearly accessory or incidental to any permitted use.
- (c) Uses permitted, provided the conditions for a use permit set forth in Section 28-27 are fulfilled:
 - (1) Lodges, fraternal organizations and clubs, except those operated as a business for profit.
 - (2) Automobile parking lots when appurtenant to any permitted use in the district, or when adjacent to any C or M district.
 - (3) Tract office for a period to be specified in the use permit.
 - (4) Sign not over three hundred square feet advertising the sale of a subdivision.
 - (5) Nursery school, church, nursing home, rest home or community care facility.
 - (6) Public service facility.
 - (7) Mobilehome park.
- (d) Maximum building height: Fifty feet.

- (e) Minimum land area per dwelling unit: Minimum land areas per dwelling unit required in this district shall include any of the following. Upon the designations of an area to a particular minimum land area per dwelling unit, such designation shall be used as a suffix to the R-M designation.

ZONE	MINIMUM LAND AREA	PER GUEST Room	MIN. BLDG. SITE AREA (sq. ft.)	MINIMUM YARDS (feet)	
	DWELLING Units (sq. ft.)			Front	Side
R-M 4	1,250	250	5,000	20**	5
R-M 2	2,500	500	5,000	20**	5
R-M 1	4,000	800**	5,000	30**	10

*With a ten per cent reduction allowed for each story in excess of one to a maximum of fifty per cent.

**Unless otherwise indicated by building lines shown on the zoning maps.

(f) Minimum rear yard required: Fifteen feet.

(g) Minimum average building site width: Sixty feet.

(h) Special yards required for dwelling groups:

- (1) In case the buildings of the group are so located on the lot that the rear of the building which faces the street is faced by the front of a building to the rear; i.e., in a front to back series, no such building shall be closer than twenty feet to any other such building and the side yard providing access shall not be less than eight feet.
- (2) In case the buildings of the group are so located on the lot that the rears thereof abut upon one side yard and the fronts thereof abut upon the other side yard; i.e., in a single row side to side series, this side yard providing access shall have a width of not less than twelve feet.
- (3) In case the buildings of a group are so located on the lot that the rears thereof abut upon each side yard and the fronts thereof face a court; i.e., in a double row side to side series, the court shall have a width of not less than twenty feet.
- (4) In no case shall any separate buildings of the group be closer to any other building of the group than a distance of ten feet.
- (5) No building in any group shall be located on the lot that the rear thereof abuts on any street line.

- (6) Distances required between buildings on the same lot and as yards and courts for dwelling groups shall be increased by two feet for each story that the height of any building or dwelling group exceeds two stories.

Sec. 28-16. PARK (P) DISTRICTS

- (a) The P district is designated to preserve land well suited for recreational purposes and to provide for recreation, amusement, play or relaxation.
- (b) Uses allowed:
 - (1) Park, playground, athletic field, golf course, polo field, exhibition grounds, bowling and croquet greens, court games, and similar places of outdoor recreation as determined by the Planning Commission.
 - (2) Agriculture, not including animal feed yard; fertilizer plant.
 - (3) Farm dwellings on parcels of twenty acres or more.
 - (4) Roadside stand for sale of agricultural products grown or produced on the premises when located not less than eighty feet from the center line of the street.
 - (5) Processing of products produced on the premises.
 - (6) Accessory uses and buildings clearly appurtenant to any permitted use.
 - (7) Three on-site signs with a total combined area of sixty square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence or is wind-driven or otherwise animated.
 - (8) Signs not exceeding six square feet in area, for each dwelling site, for the purpose of advertising the sale or lease of property upon which displayed.
- (c) Uses permitted, provided the conditions for a use permit set forth in section 28-27 are fulfilled:
 - (1) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, indoor theatre, shooting gallery, facilities for coin-operated amusement devices, auditorium, exhibition hall, sports arena, miniature golf course, course for model airplane, boat, car or trains, amusement rides, court games, drive-in theatre, country club, public stable, horse show, resort, picnic and campground, racetrack, stadium, lodge, club or resort for swimming, boating, fishing, hunting or shooting and similar types of uses as may be determined by the Planning Commission.

- (2) Public service facility, church, airport, heliport, nursery school, nursing or rest home.
- (3) Roadside stand for sale of agricultural products grown or produced on the premises when located within eighty feet of the center line of the street.
- (4) Recreational vehicle park.
- (d) Architectural approval may be required for any use in P districts, as provided in Section 28-32.
- (e) Minimum building setback: Fifty feet from the center line of the street, or not less than twenty feet from the street right-of-way line, whichever is greater, unless otherwise indicated by building lines on the zoning maps.
- (f) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if a use permit is first secured.

Sec. 28-17. HIGHWAY COMMERCIAL (C-H) DISTRICTS.

- (a) C-H districts are intended for commercial uses to serve the highway traveler. The bulk of highway frontage throughout the county is not appropriate for commercial uses but is reserved for exclusive agricultural uses, and is so zoned. C-H districts are to be established in areas of four acres or larger, and shall be located only where need is clearly indicated.
- (b) Uses allowed:
 - (1) Automobile service station.
 - (2) Hotel, motel.
 - (3) Restaurant and refreshment stand.
 - (4) Nursery for landscaping or agricultural plants.
 - (5) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (6) Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
 - (7) Agriculture, not including animal feed yard; fertilizer plant.
 - (8) Buildings and uses clearly accessory or incidental to any permitted use, including retail sales in conjunction with permitted use.
- (c) Uses permitted, provided the conditions for a use permit set forth in Section 28-27, are fulfilled:
 - (1) Automobile repair garage.
 - (2) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theatre, shooting gallery, facilities for coin-operated amusement devices, auditorium, exhibition hall, sports arena, miniature golf course, amusement rides, court games, drive-in theatre, course for model airplane, boat, car or trains and similar types of uses as may be determined by the Planning Commission.

- (3) Mobilehome park.
 - (4) Public service facility.
 - (5) Church.
 - (6) Recreational vehicle park.
 - (7) Roadside stands, food establishments open to the outside air and retail dairies established pursuant to Title 17, California Administrative Code Section 13650 et seq.
- (d) Architectural approval may be required for any use in C-H Districts, as provided in Section 28-32.
 - (e) Loading requirements: Adequate, private, off-street space for the loading and unloading of all materials.
 - (f) Maximum building height: Thirty-five feet; provided, that additional height may be allowed upon the obtaining of a use permit.
 - (g) Minimum front yard: Twenty feet unless otherwise indicated by building lines on the zoning maps.
 - (h) Minimum side yards: None; except, that where C-H Districts abut upon any R or A District, side yards of not less than ten feet shall be required.

Sec. 28-18. NEIGHBORHOOD COMMERCIAL (C-N) DISTRICTS.

- (a) The C-N district is designated to provide an area for convenient day-to-day shopping and certain recreational facilities in a residential neighborhood. C-N districts shall be created in locations where economic studies show that such facilities are necessary. The C-N district is not designated to facilitate the large scale department stores or other extensive retail sales buildings normally found in the central business area of a city or community.
- (b) Uses allowed:
 - (1) Shop, store and service for retail sales when conducted entirely within a building.
 - (2) Business and professional offices.
 - (3) Automobile service station, automobile parking lot; provided, that where any such use abuts any R district, a minimum six foot high separating masonry walls or solid board fence shall be erected and maintained.
 - (4) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (5) Signs not exceeding six square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
 - (6) Uses clearly accessory or incidental to any permitted use.
- (c) Uses permitted provided the conditions for a use permit set forth in Section 28-27, are fulfilled:
 - (1) Automobile repair garage.
 - (2) Lodges, fraternal organizations and clubs.
 - (3) Public service facility.
 - (4) Nursery school, church.
 - (5) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theatre, shooting gallery, facilities for coin-operated amusement devices, miniature golf course, course for model airplane, boat, car or trains, amusement rides, court games and similar types of uses as may be determined by the Planning Commission.

- (d) Architectural approval may be required for any use in C-N districts, as provided in Section 28-32.
- (e) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if a use permit is first secured.
- (f) Minimum side yard required: None; except, that where the side of a lot abuts upon the side of a lot in an R district, in which case the abutting side yard shall be not less than five feet; and except, that where the side yard of a corner lot abuts on a street where the frontage of the block is partially in an R district, in which case the side yard adjacent to the street shall be ten feet.
- (g) Minimum front yard required: None; except, that where the frontage of a block is partially in an R district, in which case the front yard shall be the same as required in such **R district**; and except, that buildings shall not encroach upon the building lines established on the zoning maps.
- (h) Loading requirements: Adequate private off-street space for the loading and unloading of all material.

Sec. 28-19. GENERAL COMMERCIAL (C-G) DISTRICTS.

- (a) The C-G district is designated for the general business areas of a community.
- (b) Uses allowed:
 - (1) Shop, store and service for retail sales when conducted within a building.
 - (2) Business and professional offices.
 - (3) Medical and dental clinic.
 - (4) Hotel, motel.
 - (5) Lodge, fraternal organization, club, union hall and other uses of similar nature as may be determined by the Planning Commission.
 - (6) Automobile service station.
 - (7) Business school, art, modeling, music and dancing studio, and other uses of similar nature as may be determined by the Planning Commission
 - (8) Automobile parking lot.
 - (9) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (10) Sign not exceeding thirty square feet in area advertising the sale or lease of property on which displayed.
 - (11) Incidental storage and accessory uses, including processing and repair operations and services; provided, that such uses shall be clearly incidental to the sale of products at retail on the premises, and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.
- (c) Uses permitted, provided the conditions for a use permit set forth in section 28-27, are fulfilled:
 - (1) Automobile repair when conducted within a building.
 - (2) Automobile, mobilehome, recreational vehicle, and boat storage garage.
 - (3) Bakery, dairy creamery, laundry and dry cleaning establishment.

- (4) Automobile, mobilehome, recreational vehicle or boat sales lot.
- (5) Newspaper and commercial printing shop, blueprinting shop.
- (6) Bowling alleys, billiard parlor, dance hall, skating rink, athletic club, gymnasium, swimming pool, theatre, shooting gallery, facilities for coin-operated amusement devices, auditorium, exhibition hall, sports arena, miniature golf course, course for model airplane, boat, car or trains, amusement rides, court games, drive-in theater and similar types of uses as may be determined by the Planning Commission.
- (7) Mortuary, funeral home.
- (8) Public service facility, nursery school, church.
- (9) Massage establishments, slenderizing establishments and similar personal services as may be determined by the planning commission.
- (d) Architectural approval may be required for any use in C-G districts, as provided in Section 28-32.
- (e) Loading requirements: Adequate private off-street space for the loading and unloading of all materials.
- (f) Maximum building height: Fifty feet.
- (g) Minimum side yard required: None; except, that where the side of a lot abuts upon the side of a lot in an R district, in which case the abutting side yard shall be not less than five feet; and except, that where the side yard of a corner lot abuts on a street where the frontage of the block is partially in an R district, in which case the side yard shall be ten feet adjacent to the street.
- (h) Minimum front yard required: None; except, that where the frontage in a block is partially in an R district, in which case the front yard shall be the same as required in such R district; and except, that buildings shall not encroach upon the building lines established on the zoning maps.

Sec. 28-20. COMMERCIAL SERVICE (C-S) DISTRICTS.

- (a) The C-S district is designed to provide an area for commercial services of an extensive or heavy nature in support of industrial, construction or other business activities.
- (b) Uses allowed:
 - (1) General service uses, including auto repair garage, blacksmith shop, cabinet shop, coppersmith shop, electrical repair shop, machine shop, plating works, plumbing shop, sheetmetal shop, upholstering shop, welding shop, woodmill and other uses of a similar nature as may be determined by the Planning Commission.
 - (2) Wholesale uses, warehouse;
 - (3) Corporation yard when enclosed by a minimum eight foot fence, wall or vegetative screening;
 - (4) Bakery, dairy creamery, laundry and dry cleaning establishment;
 - (5) Newspaper and commercial printing shop, blueprinting shop;
 - (6) Medical laboratory;
 - (7) Nursery for landscaping or agricultural plants;
 - (8) Automobile, mobilehome, recreational vehicle or boat storage garage;
 - (9) Automobile, mobilehome, recreational vehicle or boat sales lot;
 - (10) Automobile parking lot;
 - (11) Automobile service station;
 - (12) On-site signs: A maximum of three on-site signs with a total combined area of two hundred square feet. No sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated;
 - (13) Signs not exceeding thirty square feet in area advertising the sale or lease of property on which displayed;

- (14) Incidental accessory uses, including processing and repair operations and services; provided, that such uses shall be clearly incidental to the sale or storage of products on the premises and shall be so placed and constructed as not to be offensive or objectionable because of odor, dust, smoke, noise or vibration.
- (c) Uses permitted provided the conditions for a use permit as set forth in Section 28-27 are fulfilled:
- (1) Lumber yard, equipment rental lot, outdoor storage and sales of construction and landscaping supplies and materials and similar uses as may be determined by the Planning Commission but not to include salvage or wrecking yards;
 - (2) Automobile, mobilehome, recreational vehicle or boat storage lots, when enclosed by a minimum eight foot fence, wall or vegetative screening;
 - (3) Animal hospital;
 - (4) Auditorium, exhibition hall, sports arena, drive-in theater and similar types of uses as may be determined by the Planning Commission;
 - (5) Public service facility.
- (d) Architectural approval may be required for any use in C-S districts, as approved in Section 28-32.
- (e) Loading requirements: Adequate private off-street space for the loading and unloading of all materials.
- (f) Maximum building height: Fifty feet; provided that additional height may be allowed upon the obtaining of a use permit.
- (g) Minimum side yard required: None; except, that where the side of a lot abuts upon the side of a lot in an R or A district, in which case the abutting side yard shall be not less than ten feet; and except, that where the side yard of a corner lot abuts on a street where the frontage of the block is partially in an R or A district, in which case the side yard shall be ten feet.
- (h) Minimum front yard required: None; except, that where frontage in a block is partially in an R or A district, in which case the front yard shall be the same as required in such R or A districts; and except, that buildings shall not encroach upon the building lines established on the zoning maps.

Sec. 28-21. BUSINESS AND PROFESSIONAL OFFICE (C-O) DISTRICTS.

- (a) The C-O district is designated primarily to provide an area for business and professional offices.
- (b) Uses allowed:
 - (1) Medical and dental clinic.
 - (2) Business and professional offices.
 - (3) Bank.
 - (4) Hospital.
 - (5) Prescription pharmacy.
 - (6) Automobile parking lot.
 - (7) On-site signs appurtenant to any permitted use not to exceed thirty square feet in area, which area may be divided into not more than three single or double faced signs; provided, that no sign shall be permitted to over-hang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (8) Signs not exceeding in the aggregate fifteen square feet in area for each building site for the purpose of advertising the sale or lease of property upon which displayed.
 - (9) Uses clearly accessory or incidental to any permitted use.
- (c) Uses permitted, provided the conditions for a use permit set forth in Section 28-27, are fulfilled:
 - (1) Medical and dental laboratories, not including the manufacture of pharmaceutical or other products for general sale or distribution.
 - (2) Mortuary, funeral home.
 - (3) Restaurant.
 - (4) Florist shop, when conducted within a building.
 - (5) Public service facility.
 - (6) Nursery school, church.

- (d) Architectural approval may be required for any use in C-0 districts as provided in Section 28-32.
- (e) Minimum yard: Front, fifteen feet; side, ten feet; rear, ten feet; except, that buildings shall not encroach upon the building lines established on the zoning maps.
- (f) Maximum building height: Thirty-five feet; provided, that additional height may be permitted if the required yards are increased by one foot for each one foot of building height over the height limit.

Sec. 28-22. LIMITED MANUFACTURING (M-L) DISTRICTS.

- (a) The M-L district is designed to provide an environment conducive to the development and protection of modern, large scale administrative facilities, research institutions, warehousing and specialized or light manufacturing organizations, all of a nonnuisance type in accordance with the concept of an industrial park.
- (b) Uses allowed:
 - (1) Administrative, executive and financial offices.
 - (2) Research and development laboratory.
 - (3) Manufacturing, assembly, printing or packaging of products from previously prepared materials, such as cloth, plastic, paper, leather, wood, glass, metals or stones, but not including such operations as saw and planing mills, steel or iron works or rolling mills or any manufacturing uses involving primary production of commodities from raw materials.
 - (4) Manufacturing of electrical and electronic instruments and devices.
 - (5) Manufacturing of bakery goods, candy, cosmetics, pharmaceuticals and the like, but not including production of fish or meat products, sauerkraut, vinegar or the like, or the rendering or refining of fats and oils.
 - (5.1) Warehousing, distributorships.
 - (6) Any light manufacturing or related industrial use determined by the Planning Commission upon presentation of substantial evidence to be of the same general character as the above permitted uses.
 - (7) Agriculture, not including animal feed yard; fertilizer plant.
 - (8) Farm dwellings on parcels of twenty acres or more.
 - (9) On-site signs: A maximum of two on-site signs with a total combined area of two hundred square feet appurtenant to any permitted use when attached to or painted on the building; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.

- (10) Sign advertising the sale or lease of property upon which displayed.
 - (11) Buildings and uses clearly accessory or incidental to any permitted use.
 - (12) Automobile parking lot.
 - (13) Outdoor storage incidental to an allowed use on any portion of the lot excepting any portion of the required front yard or any required parking area. Such outdoor storage shall not occupy a greater area than the buildings on the lot and shall be screened by fencing or buildings from view of surrounding properties. Fencing shall be not less than six feet in height.
- (c) Uses permitted, provided the conditions for a use permit set forth in Section 28-27 are fulfilled:
- (1) Public service facility.
 - (2) Airport, heliport.
- (d) Architectural approval may be required for any use in M-L districts according to the provisions of section 28-32.
- (e) Minimum lot area required: One acre; except, that for parking lots and as may otherwise be specified for any use for which a use permit is required by this section.
- (f) Maximum building height: Fifty feet; provided, that additional height may be permitted if the required yards are increased by one foot for each one foot of building height over the height limit.
- (g) Deleted by Ordinance No. 747, Section 2.
- (h) Front yard required: Thirty feet, unless otherwise indicated by building lines on the zoning maps.
- (i) Side yard required: Ten feet; except, that twenty-five feet shall be required adjacent to any R-E, R-S, R-D or R-M district; and except, that the minimum of twenty-five feet shall be increased one foot for each foot over thirty-five feet of building height.
- (j) Rear yard required: Ten feet; except, that twenty-five feet shall be required when adjacent to any R-E, R-S, R-D or R-M district; and except, that the minimum of twenty-five feet shall be increased one foot for each foot over thirty-five feet of building height.

(k) Loading and unloading spaces shall be provided as required by the Zoning Administrator and Planning Commission. Loading space shall not be located in the required front yard.

(1) Other required conditions:

- (1) All uses shall be conducted wholly within a completely enclosed building except for agriculture, allowed outdoor storage, parking and loading facilities and as otherwise specified in any use permit.
- (2) Manufacturing processes shall use only gas or electricity as a source of power.

Sec. 28-23. GENERAL MANUFACTURING (M-G) DISTRICTS.

- (a) The purpose of the M-G district is to permit the normal operations of almost all industries, subject only to those regulations needed to control congestion and to protect the surrounding area or adjoining premises. The two size designations are designed to provide a differentiation between an intensive and an extensive type of development.
- (b) Uses allowed:
 - (1) Manufacturing, processing, disassembling and assembling and storage of products and materials, railroad, airport and other transportation uses; provided, that such uses are not or will not be offensive by reason of the creation or emission of dust, gas, smoke, fumes or other air pollutants, noise, vibrations, odors, liquid or solid refuse or wastes, radio-activity, glare, fire or explosives; and provided further, that prior to the issuance of a zoning-building permit, the Planning Commission may require evidence that adequate controls, measures or devices will be provided to meet performance standards for this zone, as provided in Section 28-30, all to insure and protect the public interest, health, comfort, convenience, safety and general welfare.
 - (2) Agriculture; except, that those uses indicated in subsection (c) of this section may be established only after a use permit shall first have been secured.
 - (3) Farm dwellings on parcels of twenty acres or more.
 - (4) Accessory uses appurtenant to any permitted use.
 - (5) On-site signs: A maximum of two on-site signs with a total combined area of two hundred square feet appurtenant to any permitted use when attached to or painted on the building; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
 - (6) Sign advertising the sale or lease of property upon which displayed.
 - (7) Public utility uses; except, dumping, disposal, incineration or reduction of refuse or sewage disposal plants.
- (c) Uses permitted, provided the conditions for a use permit set forth in section 28-27 are fulfilled:
 - (1) Junk yard, wrecking yard.

- (2) Dumping, disposal, incineration or reduction of refuse.
- (3) Public service facility, except public utility uses.
- (4) Animal feed yard.
- (5) Service uses appurtenant to any permitted use.
- (d) Minimum lot area required: Except as may otherwise be specified for any use for which a use permit is required by this section and except for farm dwellings on twenty acres or more, minimum lot areas in the district shall include either of the following. Upon the designation of an area to a particular minimum lot size, such designation shall be used as a suffix to the M-G designations.

<u>Zone</u>	<u>Minimum Parcel Area</u>
M-G-1/2	One-half (1/2) acre
M-G-3	Three (3) acres

- (e) Maximum building height: None; provided, that no structure shall exceed the height limitations of Section 28-33, if located in an airport flight obstruction area.
- (f) Front yard: Ten feet; except, that buildings shall not be less than fifty feet from the center line of the public road, or unless otherwise indicated by building lines on the zoning maps.
- (g) Side yard: Twenty feet; except, that forty feet shall be required for any building over one story or twenty-five feet in height when adjacent to any R district.
- (h) Rear yard: Twenty feet; except, that forty feet shall be required for any building over one story or twenty-five feet in height when adjacent to any R district.
- (i) Loading spaces shall be provided as required by the Zoning Administrator and Planning Commission. Loading and unloading space shall not be located in the required front yard.

Sec. 28-23.3. WATER DEPENDENT INDUSTRIAL (I-WD) District.

- (a) The Board of Supervisors finds that certain waterfront lands within Solano County are of statewide and regional significance because they are among the few remaining deep-water sites suitable for water-dependent industries. Furthermore, significant agricultural and marsh lands are nearby resources which the County is committed to preserve. For this reason, the water-dependent industrial district is established to reserve waterfront lands for large-scale, water-dependent industries to assure the efficient use of waterfront industrial sites and to ensure that impacts upon nearby environmentally sensitive lands are minimized.

The provisions of this Section shall be strictly interpreted to assure that only those industries which depend on a waterfront site are to locate within this district. It is expressly understood that prior to consideration of any industrial proposal within the district, the Planning Commission shall determine the industry's need for a waterfront site and assure its conformance with the provisions of the Solano County General Plan, this chapter and, where applicable, the Suisun Marsh Preservation Act of 1977. Those industries which are not considered to be water-dependent may continue to locate within other industrial districts.

- (b) Uses allowed:

Agriculture as an interim use, and buildings and uses clearly accessory or incidental to such use, except that those uses indicated below, may be established only after the conditions for a use permit, set forth in Section 28-27, are fulfilled.

- (1) As an interim use: animal feed yard, poultry operation.
- (2) Oil and gas wells.
- (3) Dredge disposal site.

Where a use is granted pursuant to a planned unit development, the further requirement for a use permit is waived.

- (c) Uses allowed provided the conditions for a planned unit development permit, set forth in section 28-25, are fulfilled:

- (1) Waterfront Storage Facility. Ship cargo storage and handling facility, including storage of raw materials which are contiguous and have a functional relationship to a berthing facility.

- (2) Waterfront Manufacturing or Processing Facility. Manufacturing or processing operations which require frontage on navigable waters to receive raw materials or to distribute manufactured or processed materials by ship.
- (3) Water-Using Facilities. Power plants and desalinization plants. Other uses which demonstrate a need for substantial amounts of water may qualify if the industry can demonstrate the following: It cannot make use of lower quality water; it cannot reasonably assume the costs of conveying water to an inland site; a waterfront site would result in substantial energy savings over an alternative site.
- (4) Associated Manufacturing or Processing Uses. Manufacturing or processing uses which must be in close proximity to an approved water-dependent manufacturing or processing use, and which meet one of the following conditions:
- a. The transportation of either raw material inputs or finished product outputs to an inland site would constitute a substantial enough increase in product cost to make its production economically unfeasible.
 - b. The transport of materials from a berth to or from an inland site, would produce major increases in hazardous conditions due either to security problems, road or rail congestion, or the spillage or explosion of hazardous materials.
- (5) Berthing Facility. Wharves, piers, berths, docks, launching facilities in conjunction with any permitted water-dependent use.
- (6) Support Facilities. Uses which are required to support the operation of a water-dependent industry. Such uses shall be clearly accessory or incidental to the operation of any water-dependent industrial use. These generally would be maintenance or ancillary types of operations, and incidental offices for management and materials control.
- (d) Minimum parcel size: Determined by the conditions of the approved planned unit development permit. Parcels less than 200 acres in area are permitted only if they accommodate uses which are directly auxiliary to approved industrial uses on larger sites.
- (e) Maximum building height: None; provided, that no structure shall exceed the height limitations of Section 28-33 if located in an airport flight obstruction area.

- (f) Minimum yard requirements: Where parcel abuts an agricultural district, the minimum yard setback shall be 500 feet; otherwise, the setbacks shall be determined by the Planning Commission, Zoning Administrator, or the specific setback requirements set forth in the General Plan.
- (g) Application for planned unit development permits shall be prepared in accordance with the provisions of Section 28-25, and shall follow the seven-step development review process for siting waterfront industries as set forth within the Solano County General Plan. Evaluation of the project shall be based upon provisions of the Solano County General Plan and the following criteria:
- (1) Adequate provision is made, through the dedication of property or by other means, to provide for open space, the protection of adjacent agricultural uses, easements for connections to berth facilities, public access, and wetlands preservation where feasible.
 - (2) Adequate safeguards are provided for the safe transport, transfer, storage, and emission of substances potentially hazardous to health, life, or property.

Sec. 28-23.5. WATERSHED AND CONSERVATION (W) DISTRICT.

- (a) The Board of Supervisors finds that the watershed and conservation district areas of Solano County are very valuable natural resources, and in order to protect these areas from the constant threat of wildfire, subsidence and landslide leading to the destruction and financial loss to private and public property; and in order to prevent increased threats of these hazards through overdevelopment of these areas; and in order to protect the general welfare of the county as a whole, there is hereby created a zone classification within which the establishment, perpetuation and protection of watershed and conservation districts shall be encouraged.

The provisions of this section shall be liberally interpreted insofar as they apply to the protection of watershed and conservation district areas. It is the intention of this section to deter developers from considering lands in a "W" zone as potential urban subdivision property, as residential uses are not compatible with watershed and conservation district areas by the fact that such areas are characterized by slope instability, fire hazards, and the unavailability of water and public services.

Those areas to be designated under this zone are fire hazard areas and are subject to slope instability as determined by the Solano County General Plan, and are characterized by the following conditions:

- (1) Steep topography (defined as slopes in excess of 25 percent grade).
- (2) Excessive vegetation coverage (defined as 50 percent or more of the area or parcel being covered with chaparral or woodland).
- (3) Inadequate roads (defined as roads below the county standards as to width, alignment, grade or improvement).
- (4) Lack of available water (defined as insufficient water to sustain a flow of 200 gallons a minute for 20 minutes).
- (5) Land susceptible to subsidence or landsliding (defined as characterized by slopes greater than 15 percent underlain by landslide-prone deposits, or by existing landslide deposits).

A range of agricultural uses are found to be compatible with watershed management. However, these uses are specifically defined and proscribed to prevent an increase in the fire or landslide hazards that now exist, and such uses would not require additional public services. These agricultural uses should not attract increased habitation or encourage activities that are not compatible with watershed management.

(b) Uses allowed:

- (1) Agricultural uses with emphasis on pasture and grazing, except that those uses indicated in Section C of this section may be established only after a use permit shall have first been secured.
- (2) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a farm residence, barn, private stable, sheds and other farm buildings.
- (3) One (1) on-site sign with a maximum area of 15 square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or is otherwise animated.

(c) Uses permitted, provided that the conditions for a use permit as set forth in Section 28-27 are fulfilled:

- (1) Animal feed yard.
- (2) Public stable, lodge, club or resort for swimming, boating, fishing, hunting or shooting.
- (3) Poultry operation of more than 100 birds.
- (4) Public service facilities.
- (5) Additional dwellings for persons employed on the premises when such residential use is clearly accessory or incidental to the agricultural use of the site.

(d) The minimum building parcel area required shall be 160 acres.

(e) Minimum front yard required: Thirty (30) feet; except that buildings shall not be less than fifty (50) feet from the center line of the street, and unless otherwise indicated by building lines on the zoning maps.

(f) Minimum side yard required: Twenty (20) feet.

(g) Minimum rear yard required: Twenty-five (25) feet.

- (h) Special yards and distances between buildings required:
Accessory buildings shall not be less than sixty (60) feet from the front property line nor less than twenty (20) feet from any side or rear property line, nor less than thirty (30) feet from any dwelling unit on the property.
- (i) Maximum building height: Thirty-five (35) feet; provided that additional height may be permitted for nondwelling structures, including windmills, silos, private water tanks, and provided further, that no such structure shall exceed the heights allowed in Section 28-33, if located in an airport flight obstruction area.

Sec. 28-23.6. MARSH PRESERVATION (MP) DISTRICT.

- (a) The Board of Supervisors finds that marshes, wetlands, and certain adjacent grasslands within the county represent an area of significant aquatic and wildlife habitat and are an irreplaceable and unique resource to the people of the county, state, and the nation. In order to preserve and enhance the quality and diversity of marsh habitats, there is hereby created a zone classification, the "MP" district, within which marsh oriented uses shall be encouraged to the exclusion of such other uses of land as may be in conflict with the long-term preservation and protection of marsh areas.

The provisions of this section shall be strictly interpreted to provide maximum protection to marsh areas. It is the intention of this section to deter developers from considering lands within the MP zone as potential urban development property, and it is further understood that there is no reasonable probability of the removal or modification of this zoning restriction within the near future. Furthermore, it is the intention of the MP zone to promote the continuation of existing uses of land and water areas within marsh areas and to encourage the enhancement of the value of such areas as marsh-related habitat. Types of uses encouraged within the marsh areas include aquatic and wildlife habitat; game hunting preserves; marsh-oriented recreational uses such as wildlife observation, sight-seeing, nature photography, walking and hiking, bicycling, horseback riding, hunting, boating, fishing, waterskiing, sailing, swimming, and other similar aquatic recreational uses; agricultural activities compatible with the marsh environment and which protect and enhance the habitat value of marsh areas; and educational and scientific research opportunities and resources.

A primary intent of this section is to assure the preservation of tidal marshes, seasonal marshes, managed wetlands and lowland grasslands within the Suisun Marsh. Any development within the Suisun Marsh as defined by Section 29114 of the Public Resources Code may be subject to obtaining a Marsh Development Permit pursuant to the preservation Act, and as provided for in Section 28-26.5 of this Code.

- (b) Uses allowed:

- (1) Management of wetlands and agricultural operations limited to grain and hay crop production, pasture, grazing, and the growing of plants and natural feed important to wildlife habitat, except that those uses indicated in subsection (c) of this section may be established only after a use permit has first been secured.

- (2) Processing of agricultural products produced on the premises.
 - (3) Buildings and uses clearly accessory or incidental to any permitted use located on the premises, including a residence, barns, private stables, sheds, and other associated buildings.
 - (4) One (1) on-site sign, with a maximum area of 15 square feet appurtenant to any permitted use; provided, that no sign shall be permitted to overhang the public right-of-way, nor shall any sign be permitted which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated.
- (c) Uses permitted provided the conditions for a use permit as set forth in section 28-27 of this code are fulfilled:
- (1) Marsh-oriented recreational use and use incidental to recreation, including park, interpretive center, day-use facility, lodge, club, or resort for swimming, boating, sailing, fishing, hunting or shooting, public stable, dog kennel, fish hatchery and raising of game, fishing pier and boat ramp, small craft docking and storage facility; commercial recreation use, including bait shop and refreshment stand, and similar types of uses as may be determined by the Planning Commission.
 - (2) Additional dwellings for caretakers or persons employed on the premises when such residential use is clearly accessory or incidental to the allowed use of the site.
 - (3) Oil and gas wells, and storage of natural gas in abandoned wells.
 - (4) Public service facility.
 - (5) Scientific research and educational facility directly related to the marsh environment, and similar uses as may be determined appropriate by the Planning Commission.
 - (6) Removal or transportation of minerals or natural materials.
- (d) The minimum parcel area required shall be 250 acres.
- (e) Minimum front, side and rear yard required: Ten (10) feet, unless otherwise indicated by building lines on the zoning maps.
- (f) Distances between buildings required: Accessory buildings shall not be less than 10 feet apart, and shall not be less than 10 feet from any dwelling unit on the property.
- (g) Maximum building height: Thirty-five (35) feet; provided, that additional height may be permitted for non-dwelling structures, including windmills, silos, and private water

tanks; and provided further, that no such structure shall exceed the heights allowed in Section 28-33 of this Code, if located in an airport flight obstruction area.

- (h) Architectural approval may be required for any use in MP districts, as provided in Section 28-32 of this Code.

Sec. 28-24. GENERAL PROVISIONS AND EXCEPTIONS.

The regulations specified in this chapter shall be subject to the following general provisions and exceptions:

(a) Use.

- (1) No dance hall, nightclub, commercial club or any establishment where liquor is served, commercial place of amusement or recreation shall be established in any district closer than two hundred feet to any boundary of any residential district unless a use permit is first secured in each case.
- (2) Circus, carnival, fair, revivals or similar temporary establishments involving assemblages of people and automobiles shall be permitted in any T, A, R-R, P, C-H, C-S, M-L and M-G district for a brief duration provided a use permit is first secured in each case.
- (3) Removal of minerals or natural materials, including building and construction materials to be used for commercial purposes shall be allowed for a limited period in any district, provided a use permit is first secured in each case, as provided in Chapter 29 of the Solano County Code.
- (4) On-site excavation or removal or filling of materials for normal facilities, or where such removal or filling is motivated by land leveling as its prime objective, shall be allowed in any district; provided, that no finished grades exceed a two to one slope.
- (5) Concrete and asphaltic concrete mixing plants and construction storage yards incidental to construction or public works projects may be allowed in any T, A, P or R-R district for a limited period, provided a use permit is first secured in each case.
- (6) Public utility, electric, gas, water, oil and telephone transmission and distribution lines shall be permitted in any district without the necessity of first obtaining a use permit; provided, that maps showing proposed routes of such transmission lines, together with a written statement of approximate structure heights and right-of-way widths, shall be submitted to the Planning Commission, and routes mutually acceptable to the planning commission and utility agencies concerned shall be determined in writing prior to the acquisition of any rights-of-way therefor. Each transmission line route proposal submitted in accordance herewith shall be accompanied by a fee of three hundred dollars (\$300.00), or such other fee as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.

- (6.1) Nonpublic utility lines for transmission or distribution of electricity, gas, water, oil, gasoline, telephone, television or other utility may be permitted in any district; provided, that in any case necessitating right-of-way acquisition, a use permit shall be secured in each case prior to such acquisition. Each use permit application shall be accompanied by plans showing on current United States Geological Survey Quadrangle or equivalent maps of the right-of-way route proposed and by written statements or scaled drawings, or both, the proposed right-of-way widths, structure types and heights, burial depths and such other information as may be deemed necessary by the Zoning Administrator or Planning Commission, or both.
- (7) In any A, P or C-H district, one directional sign, not exceeding three hundred square feet, placed adjacent to a freeway in advance of the turn-off to a roadside commercial district or a by-passed community, for the sole purpose of giving approaching motorists notice of such turn-off and of such commercial district or community, may be permitted provided a use permit is first secured in each case.
- (8) Vacant land in any district shall not be required to lie fallow.
- (9) Derricks for oil and gas well drilling shall be removed when wells are brought into production or when drilling is abandoned.
- (10) The Planning Commission shall have power to hear and decide questions involving the enforcement of this chapter when such questions are based upon the interpretations thereof.
- (11) Temporary mobilehome site in any T, A-L, A, MP, R-R, R-E, P and M-G districts may be permitted for a temporary term corresponding to the circumstances of the particular case, and provided a use permit is first secured by the owner of the mobilehome site in each case.
- (12) A temporary commercial coach site may be permitted in any district for a term corresponding to the circumstances of the particular case, and provided a use permit is first secured in each case.
- (13) Radio transmission and relay facilities may be permitted in any district; provided, that the provisions of Section 28-33 shall prevail when such facilities are within airport flight obstruction areas and a use permit is first secured in each case.

(b) Special regulations.

(1) Regulations for private and public stables, horse shows and corrals:

- a. The minimum lot area upon which two or fewer horses may be kept is one acre. One additional horse may be kept for each twenty-thousand square feet by which the parcel exceeds one acre.
- b. Private stables in any T, A, R-R, R-E, P or W District shall be located no closer than twenty feet from the side and rear lot lines, and no closer than sixty feet to the front lot line and no less than twenty feet from any dwelling unit on the property. Corrals within an R-E District shall be located on the rear half of the lot.
- c. Public stables in an T, A, R-R, P or W District or horse shows in an T, A, R-R, or P District may be permitted provided a use permit is first secured in each case.

Minimum setbacks are as follows:

Use	Minimum Distance	Minimum Distance	Minimum Distance
	From Any Dwelling Unit	From Side and Rear Property Line	From Front Property Line
Pens for no more than one horse, barns and other similar shelters	20 feet	20 feet	60 feet
Corrals, paddocks, riding rings and other similar horse arena areas	20 feet	60 feet	60 feet
Horse Shows	20 feet	200 feet	200 feet

All public stables and horse shows shall provide on-site parking, loading and vehicular turn around space together with ingress and egress so designed to avoid traffic hazards and congestion; shall not constitute a nuisance or hazard to nearby properties due to trespass, odor, dust, noise and drainage. Certain facets of the operation which are determined not to be offensive such as grazing, storage, etc., may be granted exceptions by the authority acting on the use permit application to vary the minimum distance requirements.

(2) Regulations for guest houses:

The following regulations shall apply to all guest houses in R, T and A districts:

- a. There shall be not more than one guest house on any one building site. No kitchen or cooking facilities shall be permitted in any such guest house.
- b. All guest houses shall be located on the rear half of the building site and shall not be closer than ten feet from the nearest point of the main residence.
- c. The side yard of the guest house shall be the same as that required for the main building.
- d. The minimum rear yard shall be ten feet.
- e. The guest house together with the other accessory buildings shall not exceed thirty per cent of the area of the required rear yard on which it is built.
- f. A guest house shall not exceed a height of fifteen feet.
- g. A guest house shall not be placed on a lot of less than seven thousand five hundred square feet.

(3) Regulations for accessory buildings:

- a. Accessory building attached to the main building shall comply in all respects with the requirements of this chapter applicable to the main building.
- b. An accessory building shall be located sixty feet from the front property line or on the rear fifty percent of the lot.
- c. The side and rear yard requirements may be waived for an accessory building other than a guest house or animal shelter; except, that such buildings shall not be located closer to any side street line than the main building.
- d. An accessory building shall not be located closer than ten feet from the main building; except in the W District, the distance shall be thirty feet. Stables shall be located at least twenty feet from the main building.

- e. An accessory building for the shelter of small animals shall not be placed closer to any side street line than the main building and in no case shall be placed closer than ten feet from any property line.
- f. Accessory buildings in any R district shall be permitted in the required rear yard; except, that such buildings, in the aggregate, shall not occupy more than thirty percent of the area.
- g. Accessory buildings in any R district shall not exceed a height of fifteen feet.

7-
(c) Height

- (1) Chimneys, vents and other architectural mechanical appurtenances may be erected to a greater height than the limit established for the district in which the building is located.
- (2) Towers, poles, water tanks and similar structures may be erected to a greater height than the limit established for the district in which they are to be located; except, that the provisions of Section 28-33 shall prevail in airport flight obstruction areas.
- (3) In any R district, no fence shall be erected, moved or altered and no hedge shall be grown so that the portions behind the building line of the dwelling exceed seven feet in height and the portions between the building line and any street line exceed three feet in height.
- (4) Subject to any other provisions of law, towers, spires, water tanks completely enclosed by solid walls on all sides down to the ground or to the main part of the building, similar structures and necessary mechanical appurtenances may be built and used to a greater height than the limit established for the district in which the building is located.

(d) Building site special provisions.

- (1) The use of land as permitted for the district in which it is located shall be permitted on a building site of less area or frontage than that required by the regulations for such district; provided, that such is shown as a lot on a subdivision map of record, or is a parcel of land which was under one ownership on January 29, 1959; provided, that in either case the owner of such lot shall not have owned or purchased any adjoining property since January 29, 1959. For the purpose of this section, adjoining property shall be deemed to include any parcels which are physically separated by roads, streets, utility easements and railroad rights-of-way.

- (2) A building site shall have its principal frontage on a public or private street; however, for a private street serving more than three building sites, the right-of-way width opening from the public street and along the full length of the private street shall be at least fifty feet.
- (3) In any A or R-R district, the following provisions may be applied:
 - a. The area bounded by the center line of the street on which the parcel fronts, the parcel sidelines extended to such street center line and the street right of way line adjacent to the parcel may be included in the computation of the minimum parcel area requirement.
- (3.1) In any R-R 2 1/2 district, the following provisions may be applied:
 - a. Parcels of more than four acres but less than five acres in existence on October 10, 1969, may be divided into parcels each of a net area of two acres or larger.
- (4) A legally established conforming use may be enlarged provided the added portions conform to yard, building, location and height requirements and such additions do not encroach upon any required parking space.
- (5) In any district where one-family dwellings are an allowed use, the Zoning Administrator and Planning Commission may authorize an owner to replace an existing dwelling on a developed parcel with a new one-family dwelling and permit occupancy of the existing dwelling for the term of construction of the replacement dwelling; provided, that:
 - a. The replacement dwelling shall comply in all respects with yard, building, location, height and parking space requirements of this chapter.
 - b. The owner executes a written agreement with the county guaranteeing the demolition and removal of the existing dwelling. The owner shall within one week following the execution of the agreement deliver to the county a faithful performance bond with an insurance company authorized to do business in the state or make a cash deposit with the treasurer of the county in the amount of money provided for in the agreement. The bond or cash deposit shall be in such amount as will be sufficient to accomplish such demolition and removal by the owner upon completion of the replacement dwelling or by the county

in case the agreement is breached by the owner. The decision of the Zoning Administrator or Planning Commission as to the amount of deposit required shall be final. The owner shall, in the agreement, consent to agents and employees of the county entering upon his land and demolishing and removing existing dwelling if owner fails to remove such dwelling within sixty days of the completion of the replacement dwelling.

- (6) The minimum parcel area requirement of the zoning district wherein certain uses may be permitted, subject to the securing of a use permit in each case, may be reduced provided such use is determined to be any of the following:
 - a. Public service facility;
 - b. Crematory, mausoleum or columbarium;
 - c. Oil or gas wells;
 - d. Radio or television transmission facilities;
 - e. Airport or heliport;
 - f. Any use employing a portion of a contiguous ownership when such ownership meets the minimum area requirement of the district.

(e) Yards.

- (1) In any case, where an official plan line has been established as a part of the street and highway master plan of the county, the required yards on the street side shall be measured from such official plan lines and in no case shall the provisions of this chapter be construed as permitting any structure to extend beyond such official plan line.
- (2) In any case where a building line has been established in accordance with section 28-31, the required yards on the street shall be not less than the distance from the center line of the street specified for such building line and in no case shall the provisions of this chapter be construed as permitting any structures to extend beyond such building line.
- (3) For the purpose of measuring yards, fireplaces, chimneys and cantilevered walls shall be considered as exterior walls.
- (4) Cornices, eaves, canopies and similar architectural features may extend into any required yard not exceeding two and one-half feet.

- (5) Unenclosed porches or stairways, fire escapes or landing places may extend into any required front or rear yard not exceeding six feet, and into any required side yard not exceeding three feet.
- (6) In any R district where fifty percent or more of the building sites on any one block or portion thereof in the same district have been improved with buildings, the required front yard shall be of a depth equal to the average of the front yards of the improved building sites, to a maximum of that specified for the district in which such building site is located.
- (7) In any R-E or R-S district, the required side yards of building sites created before January 29, 1959, having less than the required site width, may be reduced to as much as ten percent of the site width; except, that no such building site shall have side yards of less than five feet.
- (8) In the case of a corner lot adjacent to a key lot, the required side yard on the street side for any building within twenty-five feet of the side line of the key lot shall be equal to the front yard required on the key lot, and if more than twenty-five feet from such side line, the required side yard shall be fifty percent of the front yard required on the key lot.
- (9) In the case of a double frontage lot, the main building or accessory building shall not be erected so as to encroach upon the front yard required on any of the streets.
- (10) Notwithstanding any requirements in this section, in cases where the elevation of the front half of the lot, at a point fifty feet from the center line of the traveled roadway is seven feet above or below the grade of such center line, a private garage attached or detached may be built to within ten feet of the front line of the lot.

(f) Extension of time for environment impact evaluation.

- (1) Any provision in this chapter which provides for a specific period of time within such a county agency, commission, employee or officer must act on an application for a permit or other entitlement required by this chapter, shall not be applicable if compliance with the California Environmental Quality Act reasonably requires a longer period of time to assess the environmental impact of the project for which the entitlement is sought.

Sec. 28-25. PLANNED UNIT DEVELOPMENT PERMIT.

- (a) Purpose. Where a design proposal for a substantial development involving a use or several coordinated uses of land makes it desirable to apply regulations more flexible than those contained elsewhere in this chapter, a planned unit development permit may be granted. There are two alternate purposes of such permits.
- (1) To grant diversification to the applicant in the use of land and location of structures not otherwise permitted under district regulations, and enable innovation in the design of buildings, site treatment, allocation of open space and landscaping, while insuring safety, welfare, and convenience in the use and occupancy of such planned buildings and facilities; or
 - (2) to retain for the County adequate development controls over projects which, due to size, location, complexity, or environmental impact, are considered to have potentially significant, unique or unfavorable implications to the public health, safety or welfare.
- (b) Applicability. The Board of Supervisors or Planning Commission may, on its own initiative, require a planned unit development application be submitted on any project or development, or in conjunction with any other required application or similar action, or as determined by Section 28-25(a)(2), or as part of any district regulations of this chapter.
- (c) Conditions. The Planning Commission may grant a planned unit development in any district and grant exceptions to district regulations as to use, building height or bulk, yards and open areas, or other provisions of this chapter when the following conditions are met:
- (1) The tract or parcel of land involved must be a minimum of four acres in area and must be either in one ownership or the subject of an application filed jointly by the owners of all the property included. All of the property included shall be an essential part of the integral function of the total development. In cases of remnant parcels as defined in Section 28-1, planned unit development permits may be granted for areas of less than four acres.
 - (2) The proposed development must be in conformance with the County General Plan and designed to produce an environment of stable and desirable character, and must provide overall standards of population density, intensity of use, open space, circulation and off-street parking, all in conformance with the General Plan.

- (3) The various elements of the development plan, including structures, grounds, open space and land use, must relate to one another in such a way as to form a comprehensive plan of sufficient unity to justify exceptions, if any, to the normal regulations of this chapter.
 - (4) The development shall be designed so as not to adversely affect adjacent properties.
- (d) Application. Application shall be filed with the Planning Department and be accompanied with such information as may be necessary for the County to clearly ascertain the appearance, function, and effect of the development, and shall describe the character, function, and style of the proposed development and use in sufficient detail so that subsequent design review and any other review by the Planning Commission or Board of Supervisors shall not be required, except as is otherwise required by this chapter. The following are minimum requirements for any application except as may be waived by the Planning Director, with proper cause:
- (1) A complete legal description of the subject property.
 - (2) A narrative description which will define the purpose, intended uses, density of development, dimensional constraints, and performance standards for proposed uses stated in sufficient detail to constitute definitive criteria under which subsequent development can be judged for compliance.
 - (3) A site plan of the total development drawn to scale and fully dimensioned delineating the uses, locations, and architecture of proposed structures, including signs, the contemplated systems of drainage, water supply, sewage disposal and circulation, parking and loading spaces, landscaping, and areas, if any, to be reserved for parks, playgrounds, public facilities and other spaces.
 - (4) A topographic map showing existing and finished contours at an appropriate interval and scale.
 - (5) Elevations and floor plans of such detail so as to determine appearance, function, interrelation and extent of buildings and structures.
 - (6) A development schedule defining the sequence of improvements and the anticipated timing of the development.
 - (7) Specific plans for grading, erosion, runoff and sediment control, landscaping, and prevention and mitigation of accidental spills of toxic or hazardous materials, if applicable.

- (8) Permit application fee as established by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.
- (e) Public Notice. At least ten (10) days prior to the public hearing, notice of the proposed planned unit development and of the public hearing thereon shall be given by publication in a newspaper of general circulation in the County, and by posting in the vicinity of the property involved, or by mailing of such notices as may be prescribed by state law.
- (f) Public Hearing. The Planning Commission shall hold a public hearing on any proposed planned unit development permit application.
- (g) Action.
- (1) Except as provided in Section 28-24(f) of this Chapter, the Planning Commission shall act upon an application for a planned unit development permit within 90 days of the date of such application, and shall forthwith notify the applicant of action taken. The Planning Commission may deny or authorize the development as submitted, or may modify, alter, adjust, or amend the plan before authorization. The Planning Commission shall carefully consider any proposed partial staged or phased construction of the planned unit development, and may approve the same only when the initial construction involves a minimum of four (4) acres, all of which shall be an essential part of the integrated function of such initial construction. The Planning Commission shall attach such additional conditions as are, in its opinion, necessary to assure completion of the total development and the objectives of this chapter. The development as authorized shall be subject to all conditions as imposed, and shall be excepted from other provisions of the ordinance only to the extent specified in the authorization.
- (2) When a planned unit development application has been approved, or required as a condition of any action by the County, the zoning map(s) shall be annotated to reflect such action, and the official zoning map designation for the property shall include the suffix "PUD". If a planned unit development requirement ceases, the "PUD" suffix shall be deleted from the official zoning map designation.
- (h) Revocation.
- (1) In any case where a granted planned unit development permit has not been exercised within one year after the date of granting thereof, or otherwise specified on the

permit up to a maximum of two (2) years, then without further action by the Zoning Administrator or Planning Commission, the permit shall be null and void; except that upon written request by the permittee, prior to expiration, the Planning Commission may authorize an extension of the permit, not to exceed one year. Only one such extension may be granted. Completion of at least the initial phase, or completion of one building or other progress of the total approved development as deemed adequate by the Planning Commission, shall constitute exercise of the permit within the meaning of this section.

- (2) In any case where the conditions of a planned unit development permit have not been or are not complied with, the Zoning Administrator shall give the permittee notice of intention to revoke such permit at least 10 days prior to a Planning Commission review thereon. After conclusion of the review, the Planning Commission may revoke such permit.

- (i) Minor revisions not constituting a substantial alteration in the planned unit development permit, or any element thereof, may be reviewed and approved by the Planning Commission. Each application for a minor revision shall be accompanied by a fee as may be set by the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Sec. 28-26. ZONING-BUILDING PERMITS.

- (a) When required. Zoning-building permits shall be required for all buildings, structures, signs and fences over six feet hereafter erected, constructed, altered, repaired or moved within or into any district established by this chapter, and for the use of vacant land, or for a change in the character of the use of land within any district established by this chapter; except, that purely agricultural nonresidential buildings upon agricultural property in units of five acres or more, when exterior walls of such buildings are located at least sixty feet from any property line, and when any such buildings are erected to be used only on the unit of land whereon the same are situated for the purpose of agricultural operations on such unit only, are exempted from the provisions of this section.
- (b) Application. Application for zoning-building permit shall be made in writing on a form prescribed by the Zoning Administrator, and shall be accompanied by plans necessary to determine compliance with this chapter, as required by the Zoning Administrator or Planning Commission. All applications shall be accompanied by the fee prescribed by the Uniform Building Code of the County adopted by Chapter 6, no part of which shall be refundable.
- (c) Issuance. The zoning-building permit shall be issued if the proposed use or building is in conformance with the provisions of this chapter. If any permit is issued by error or otherwise; i.e., where a proposed use or building is not in conformance with the provisions of this Chapter, such permit shall be null and void.
- (d) Revocation.
 - (1) In any case where the conditions of granting a zoning-building permit have not been, or are not being complied with, the Zoning Administrator shall give notice to the permittee of intention to revoke such zoning-building permit. Such revocation shall be subject to confirmation by the Planning Commission.
 - (2) In any case where a zoning-building permit has not been exercised within 120 days after the date of the granting thereof, then, without further action by the Zoning Administrator or Planning Commission, the zoning-building permit shall be null and void.
- (e) Appeal. Appeal from the action of the Zoning Administrator may be made according to the provisions of Section 28-37.

Sec. 28-26.5. MARSH DEVELOPMENT PERMITS.

- (a) Purpose. The purpose of a Marsh Development Permit is to allow uses within the secondary management area of the Suisun Marsh, subject to specific conditions and County approval. Lands designated as primary or secondary management areas of the Suisun Marsh are those as defined in § 29101, 29102 and 29103 of the Public Resources Code.
- (b) When Required. Marsh Development Permits shall be required from any person or entity wishing to undertake a development as defined in § 29114 of the Public Resources Code within the secondary management area of the Suisun Marsh. Any land use development permit or other permit which conforms with the provisions of this section may serve as a Marsh Development Permit, as determined by the county. If a portion of the site or development is within the primary management area, a permit may also be required from the county prior to application for any Marsh Development Permit which may be required by the San Francisco Bay Conservation and Development Commission (BCDC).
- (c) Issuance. Marsh Development Permits may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Chapter. Granting of a Marsh Development Permit does not exempt the applicant from complying with requirements of building codes adopted pursuant to Chapter 6, other provisions of this Code, or other ordinances.
- (d) Application. Application for a Marsh Development Permit shall be filed with the Planning Department and shall be accompanied by plans and data assuring the fullest practical presentation of facts about the development; a site plan drawn to scale and fully dimensioned showing property lines; the location and extent of existing and proposed work and uses; information clearly distinguishing existing from proposed improvements, existing and proposed public access areas, building elevations, and primary and secondary management area boundaries; the approximate distance to the nearest marsh, managed wetland, or tidal area; and the location and name of the nearest public road and private access. Such application shall be accompanied by a fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.
- (e) Public Hearing. At least one public hearing on any Marsh Development Permit application shall be held by the Zoning Administrator or the Planning Commission.

- (f) Public Notice. At least ten (10) days prior to the public hearing on any Marsh Development Permit application, notice of the proposed development and the public hearing by the Zoning Administrator or Planning Commission shall be given by publication in a newspaper of general circulation in the county, and by posting in the vicinity of the property involved, or by mailing such notices to contiguous owners of record, and to all persons and organizations who have requested such notices.
- (g) Action.
- (1) The Zoning Administrator or Planning Commission may grant Marsh Development Permits upon the finding, in each case, that the requirements set forth in this chapter and in subsection (h) of this section are fulfilled.
 - (2) The Zoning Administrator or Planning Commission may stipulate conditions, and guarantees that such conditions will be complied with when in the public interest and deemed necessary.
- (h) General Conditions. In granting a Marsh Development Permit, the Zoning Administrator or Planning Commission shall find the following conditions to be fulfilled:
- (1) That the application process complies with the California Environmental Quality Act of 1970, as amended.
 - (2) That the establishment, maintenance, or operation of the use is in conformity with the County General Plan with regard to traffic circulation, population densities and distributions, and all other pertinent aspects.
 - (3) That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
 - (4) That the applicant has exhibited proof that such use will not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County, or be detrimental to adjacent property or improvements in the neighborhood.
 - (5) That the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program.
- (i) Revocation.
- (1) In any case where the conditions of a Marsh Development Permit have not been or are not complied with, the Zoning Administrator shall give to the permittee notice of intention to revoke such permit, at least ten (10)

days prior to a Planning Commission review thereon. After conclusion of the review, the Planning Commission may revoke such permit.

- (2) In any case where a Marsh Development Permit has not been exercised within one (1) year after the date of granting thereof then, without further action by the Zoning Administrator or Planning Commission, the use permit shall be null and void; excepting, that upon written request by the permittee, the Planning Commission may authorize an extension of the permit not to exceed one year. Only one (1) such extension may be granted.
- (j) Reapplication. Whenever a Marsh Development Permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application shall be accepted by the County for a period of six (6) months from the effective date of the final denial of the original application; provided, that upon a showing of a substantial change of circumstances, the Planning Commission may permit the filing of such new application prior to the expiration of such six (6) month period.
- (k) Appeal. Appeal from the action of the Zoning Administrator or Planning Commission may be made according to the provisions of Section 28-37 of this Code.
- (l) Minor Revisions. Minor revisions not constituting substantial alteration in the Marsh Development Permit, or any element thereof, may be reviewed and approved by the Zoning Administrator or Planning Commission, whichever shall have issued the permit sought to be revised. Each application for a minor revision shall be accompanied by a fee as may be set by the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Sec. 28-27. USE PERMITS.

- (a) Purpose. The purpose of the use permit is to give public notice of certain proposed land uses and to allow review of such land uses and necessary arbitration by the Zoning Administrator or Planning Commission.
- (b) Issuance; grant not exemption from building codes. Use permits, revocable, conditional or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this chapter. Granting of a use permit does not exempt applicant from complying with requirements of building codes adopted pursuant to chapter 6, other provisions of this Code or other ordinances.
- (c) Application. Application for a use permit shall be made in writing on a form prescribed by the Zoning Administrator and shall be accompanied by floor plans and site plans, and data necessary to show that conditions set forth in subsections (h) and (i) of this section are fulfilled as required by the Zoning Administrator or Planning Commission. Such application shall be accompanied by a fee or fees as may be set by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.

An application for an extension of an existing use permit shall be processed as stipulated by a condition of the permit; however, the application shall be accompanied by a fee or fees as may be set by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.

- (d) Public hearing. At least one public hearing on any use permit application shall be held by the Zoning Administrator, who shall maintain a public record of all hearings.
- (e) Public notice. At least ten days prior to the hearing on any use permit application, notice of the proposed use and the public hearing by the Zoning Administrator shall be given by publication in a newspaper of general circulation in the county and by posting in the vicinity of the property involved or by mailing such notices as may be prescribed by state law.
- (f) Right to be heard. The public notice of the proposed use shall set forth the right of any person or group to appear and be heard at the public hearing.

(g) Action.

- (1) The Zoning Administrator or Planning Commission may grant use permits upon the finding, in each case, that the requirements set forth in this chapter and in subsections (h) and (i) of this section are fulfilled.
- (2) The Planning Commission may stipulate conditions in addition to the general conditions enumerated in subsections (h) and (i) of this section and guarantees that such conditions will be complied with when in the public interest such additional conditions and guarantees may be deemed to be necessary.
- (3) Unless the use permit application is withdrawn, action to approve, conditionally approve or deny the use permit shall be taken by the Zoning Administrator or Planning Commission within sixty days of the application filing date; except, that the applicant and Planning Commission may mutually agree to extend such period.

(h) General conditions. In granting a use permit, the Zoning Administrator or Planning Commission shall find the following general conditions to be fulfilled:

- (1) That the establishment, maintenance or operation of a use or building applied for are in conformity to the general plan for the county with regard to traffic circulation, population densities and distribution, and other aspects of the general plan considered by the Zoning Administrator or Planning Commission to be pertinent.
- (2) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
- (3) That applicant exhibits proof that such use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the county; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

(i) Conditions relating to specific uses. In granting a use permit for the specific uses listed, the Zoning Administrator or Planning Commission shall find that the following conditions shall be met:

- (1) Agricultural processing plants, such as cannery, winery, slaughterhouse or dairy which processes agricultural products not produced on the premises shall be located to provide convenient trucking access with minimum interferences to normal traffic; shall provide loading spaces as required by the Zoning Administrator or Planning Commission; shall show that adequate measures shall be taken to control odor, dust, noise and waste disposal so as not to constitute a nuisance; shall show that proposed source of water will not deprive others of normal supply.
- (2) Airports and heliports shall provide a distance of at least two hundred feet from each end of each runway; shall be located no closer than one thousand feet from any dwelling, barn, stable; shall be located so that air or surface traffic shall not constitute a nuisance or danger to neighboring farms and shall show that adequate controls or measures will be taken to prevent offensive dust, noise, vibrations or bright lights.
- (3) Amusement places or places of commercial recreation shall provide ingress and egress designed so as to avoid traffic congestion; shall provide a minimum six foot solid board fence or masonry wall separating parking areas from abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise, light or vibration.
- (4) Animal feed yards, fertilizer plants and yards, commercial kennel for dogs or cats, and horse shows shall be located no closer than two hundred feet to any property line, shall provide truck loading area as required by the Zoning Administrator or Planning Commission together with ingress and egress so designed to avoid traffic hazard and congestion; odor, dust, noise or drainage.
- (5) Animal hospitals shall show that adequate measures and controls shall be taken to prevent offensive noise and odor. No incineration of refuse shall be permitted on the premises.

- (6) Automobile, mobilehome, recreational vehicle, or boat sales lots shall show that adequate controls or measures will be taken to prevent offensive light, noise, or vibrations.
- (7) Automobile parking lots adjacent to a C or M district shall be paved; shall have a minimum six foot high solid board fence or a minimum six foot high masonry wall separating the parking lot from the abutting residential uses; and shall provide lighting only constructed in such manner so as to in no way disturb the living environment in the abutting residential district.
- (8) Automobile repair garages shall be entirely enclosed within a building and shall show that adequate controls or measures will be taken to prevent offensive noise and vibrations.
- (9) Automobile, mobilehome, recreational vehicle, or boat storage garages shall provide ingress and egress so designed as to avoid traffic congestion.
- (10) Bakery, creamery, laundry, cleaning and dyeing establishments shall provide off-street loading spaces as required by the Zoning Administrator or Planning Commission; shall be entirely enclosed within a building; and shall show that adequate controls or measures will be taken to prevent offensive noise, vibration, odor and glaring lights.
- (11) Cemeteries, crematories, mausoleums, columbariums and mortuaries shall provide entrance on a major street or road with ingress and egress so designed as to avoid traffic congestion; and shall maintain a minimum twenty foot landscaped strip on all property lines abutting residential property and residential streets.
- (12) Churches, museums or welfare institutions shall be located on a principle street on a minimum one-half acre parcel; and in all districts shall maintain a minimum ten foot wide landscaped strip on all property lines abutting in R districts.
- (13) Circus, carnivals, fair, revival or similar temporary establishments involving assemblages of people and automobiles shall be located on a major street or county road; shall provide ingress and egress so as to avoid traffic congestion; and shall show that adequate controls or measures will be taken to prevent offensive noise and light.
- (14) Club, lodge and fraternal organizations shall be located on a major street; shall maintain ten foot land-

scaped strip on all property lines abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.

- (14.5) Community care facilities shall not be located on any ownership within four hundred (400) feet of any other ownership containing a community care facility, or for which a use permit for a community care facility has been issued. The number of persons under care living in such facilities shall not exceed three percent (3%) of the total unincorporated population within the census tract where the facility is located. If not already obtained, state authorization, certification or licensing by the appropriate agency is required within six (6) months of issuance of a use permit. If not obtained within six (6) months, the use permit becomes null and void.
- (15) Community centers shall be located on a major street or road; shall maintain a minimum ten foot landscaped strip on all property lines abutting residential property; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.
- (16) Concrete and asphaltic concrete mixing plants and construction storage yards, incidental to construction or public works projects, shall show that adequate controls or measures will be taken to prevent offensive noise, odor, dust, fumes, smoke or vibration; and shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.
- (17) Dumping, disposal, incineration or reduction of refuse shall show that adequate controls or measures will be taken to prevent offensive smoke, odors, fumes; and shall be located so that truck traffic noise and vibration shall not be offensive to neighboring dwellings.
- (18) General advertising signs shall not be placed within two hundred feet of a residence or residential district; shall not exceed six hundred square feet in area; and shall maintain the required setback from any street or road right-of-way line of the district.
- (19) Gun and archery shooting ranges, public stables, horse shows, lodge, club or resort for swimming, boating, fishing, hunting, or shooting shall show that adequate controls or measures will be taken to prevent any hazard or nuisance to surrounding residents or farm animals and to prevent trespassing to surrounding property.

- (20) (Repealed by Ordinance No. 1100)
- (21) Hospitals and sanitariums in an A or R-R district shall provide parking as required by the Zoning Administrator or Planning Commission and shall maintain a minimum forty foot landscaped strip on all property lines abutting residential property,
- (22) Junk or wrecking yards shall be entirely enclosed by a fence of eight feet minimum height, constructed of uniform material, maintained plumb and level in structurally sound condition, which shall adequately screen the enclosed area from view. Hilly areas in which adequate screening cannot be achieved shall be avoided in the selection of sites for junk or wrecking yards.
- (23) Labor camps in an A district shall be located on a public road and where sanitary facilities are available.
- (24) Libraries shall be located on a major street and in all districts shall maintain a minimum ten foot landscaped strip on all property lines abutting residential property.
- (25) Medical and dental laboratories shall maintain a minimum ten foot landscaped strip on all property lines abutting residential property and residential streets.
- (26) Model airplane, boat, car or train courses shall show that adequate controls or measures will be taken to minimize offensive noise or prevent trespassing on surrounding property.
- (27) Newspaper or commercial printing shops and blueprinting shops shall be entirely enclosed within a building; shall provide off-street loading space in proportion to the number of truck loads per day, as required by the Zoning Administrator or Planning Commission; and shall show that adequate controls or measures will be taken to prevent offensive noises or vibration.
- (28) Oil and gas wells shall show that adequate controls or measures will be taken to prevent offensive noise, odor, vibration or fumes. Derricks shall be removed when wells are brought into production or when drilling is abandoned.
- (29) Outdoor sales and rental lots shall show that adequate measures and controls shall be taken to prevent offensive noise, odors and dust, and shall have a minimum six foot high solid board fence or masonry wall separating the lot from abutting residential uses.

- (30) Outdoor theatres or drive-in theatres shall be located only on a major or secondary road or nonresidential street; shall provide ingress and egress so designed as to avoid traffic congestion; shall be located sufficiently distant from any dwelling, barn or stable and so screened from such buildings that any noise shall not disturb residents or farm animals; and any lighted signs and other lights shall be maintained in such a way as not to disturb neighboring residents or farm animals.
- (31) Public service facilities shall maintain a minimum ten foot landscaped strip on all property lines abutting residential property.
- (32) Railroad and bus depots shall be located on a major street; and shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.
- (33) Removal of natural material shall show that adequate controls or measures will be taken to prevent offensive noise, dust, vibrations or standing water; shall not create finished grades of a greater slope than two to one; and shall be so located that generated traffic will not constitute a hazard or nuisance to surrounding property.
- (34) Schools, nursery schools, playgrounds, golf courses, parks, bowling and croquet greens, court games, resorts, picnic grounds and campgrounds shall show that adequate controls or measures will be taken to prevent offensive noise, light or trespassing on surrounding property.
- (35) Stadiums, racetracks, athletic fields, polo fields, exhibition grounds and similar places of outdoor recreation shall have ingress and egress only on a major thoroughfare so designed as to avoid distraction of motorists traveling on adjacent thoroughfares; and shall show that adequate controls or measures will be taken to prevent offensive noise or light.
- (36) Subdivision signs or tract offices shall be limited to a six month period, at the expiration of which time the permittee may request a further extension of time.
- (37) Sports arenas, auditoriums and exhibition halls shall have ingress and egress only on a major thoroughfare; and shall show that adequate controls or measures will be taken to minimize offensive noise, odors or light.
- (38) Mobilehome parks shall provide a minimum of four (4) acres in single or contiguous ownership, occupied exclusively by the mobilehome parks; each mobilehome space within mobilehome parks shall be bounded by markings on the ground, and shall have not less than twelve

(12) feet of frontage along a street; mobilehomes within mobilehome parks shall be placed a minimum distance of twenty (20) feet from any public street right-of-way; and private streets within mobilehome parks shall intersect generally at right angles with pavement roundings of minimum ten (10) foot radii except that intersections of private streets with public streets shall have radii of thirty (30) feet.

- (39) Warehouses shall show that any stored material will not constitute a hazard to surrounding property and shall provide adequate off-street loading and unloading space.
- (40) Zoos shall have ingress and egress only on a major street, so designed so as to avoid traffic congestion; shall maintain a minimum fifty foot landscaped strip on all property lines; and shall show that adequate controls or measures will be taken to prevent offensive noise, odor or light.
- (41) Rural resident enterprises shall be located only in A Exclusive Agricultural Districts, and R-R Rural-Residential Districts; shall be located with the resident family on the same parcel; shall not occupy, in the aggregate, more than five hundred square feet of gross floor area of the residence or any accessory building; shall not occupy more than one thousand square feet of contiguous land exclusive of any building; shall not occupy any part of the required yard areas of the residence; shall not project closer to adjacent streets than the residence; and, shall not create a hazard or nuisance to surrounding property.
- (42) Automobile, mobilehome, recreational vehicle or boat storage lots shall provide ingress and egress designed to avoid traffic congestions, shall be entirely enclosed by a solid fence or wall of a minimum height of eight (8) feet and shall provide traffic surfaces that are maintained in a dust-free manner.
- (43) Roadside stands, food establishments open to the outside air and retail dairies shall have ingress and egress designed so as to avoid traffic congestion and hazards; shall provide adequate controls or measures to prevent offensive dust, odor or light; shall provide adequate off-street parking; shall obtain Health Department approval prior to issuance of the use permit, and shall be determined to be in harmony with the committed character of the subject locality.

(j) Revocation.

- (1) In any case where the conditions of a use permit have not been or are not complied with, the Zoning Administrator shall give to the permittee notice of intention to revoke such permit, at least ten days prior to a Planning Commission review thereon. After conclusion of the review, the Planning Commission may revoke such permit.
- (2) In any case where a use permit has not been exercised within one year after the date of granting thereof, then without further action by the Zoning Administrator or Planning Commission, the use permit shall be null and void; except, that upon written request by the permittee the Planning Commission may authorize an extension of the permit not to exceed one year. Only one such extension may be granted.

(k) Reapplication. Whenever a use permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application shall be accepted by the Planning Commission for a period of six months from the effective date of the final denial of the original application; provided, that upon a showing of a substantial change of circumstances, the Planning Commission may permit the filing of such new application prior to the expiration of such six month period.

(l) Appeal. Appeal from the action of the Zoning Administrator or Planning Commission may be made according to the provisions of Section 28-37.

(M) Minor Revisions. Minor revisions not constituting substantial alteration in the use permit or any element thereof may be reviewed and approved by the Zoning Administrator or Planning Commission, whichever shall have issued the permit sought to be revised. Each application for a minor revision shall be accompanied by a fee as may be set by the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Sec. 28-28. VARIANCES.

- (a) Authority of Planning Commission. The Planning Commission shall have the power to grant variances from terms of this chapter; except, that in no case shall a variance be granted to allow a use of land or buildings not permitted in the district in which the subject property is located.
- (b) Conditions. Variances from the terms of this chapter may be granted only when the following conditions are found:
 - (1) Because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this chapter is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.
 - (2) Variance granted shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which subject property is situated.
- (c) Application. Applications for variances shall be filed with the Zoning Administrator upon such forms and accompanied by such plans and data as may be prescribed by the Zoning Administrator so as to assure the fullest practical presentation of facts for the permanent record. Each such application for any variance shall be accompanied by a fee or fees as may be set by the Board of Supervisors by resolution pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.
- (d) Public hearing.
 - (1) Public hearing shall be held on variance permit applications.
 - (2) Public hearing on any variance permit application shall be not later than thirty days from the date of application.
- (e) Public notice. At least ten days prior to the granting of any variance permit, notice of the proposed variance and of the public hearing shall be given by publication in a newspaper of general circulation in the county and by posting on or in the vicinity of the property involved or by mailing of such notices as may be prescribed by state law.
- (f) Action. The Planning Commission may grant a variance permit provided the conditions set forth in subsection (b) of this section are satisfied. The applicant shall be forthwith notified of the action taken.

- (g) Revocation. In any case where a granted variance permit has not been exercised within one year after the date of granting thereof, then without further action by the Zoning Administrator or Planning Commission, the variance granted shall be null and void.
- (h) Reapplication. Whenever a variance permit application has been denied for a specific use, no new application covering all or a portion of the property involved in the original application shall be accepted by the Planning Commission for a period of six months from the effective date of the final denial or the original application; provided, that upon a showing of a substantial change of circumstances the Planning Commission may permit the filing of such new application prior to the expiration of such six month period.
- (i) Appeal. Appeal from the action of the Planning Commission may be made according to the provisions of Section 28-37.
- (h) Minor Revisions. Minor revisions not constituting substantial alteration in the variance permit or any element thereof may be reviewed and approved by the Planning Commission. Each application for a minor revision shall be accompanied by a fee as may be set by the Board of Supervisors, pursuant to Section 1-18 of this Code. No part of said fee or fees shall be refundable.

Sec. 28-29. PARKING REQUIREMENTS.

- (a) Minimum number of off-street parking spaces required in any District shall be as follows:

<u>Land Use</u>	<u>Number of Off-Street Parking Spaces Required</u>
1. Residential Uses	Two (2) spaces per each dwelling unit. Spaces should be located behind the front yard setback line in the R-E, R-S and R-D Districts
2. Boarding and Rooming Houses	One (1) space per each guest
3. Motel	One and one-tenth (1.1) spaces per unit
4. Mobilehome Park	One and one-half (1.5) spaces per mobilehome space, plus one (1) visitor space per four (4) mobile-home spaces
5. Hospital	One (1) space per 500 square feet of gross floor area
6. Medical and Dental Clinics	One (1) space per 150 square feet of gross floor area
7. Public Assembly-Church, Theatre, Lodge, Hall, Auditorium, Stadium, Arena, Gymnasium, Mortuary and similar uses	One (1) space per four (4) seats or one (1) space per each four (4) persons at capacity
8. Industrial Uses	One (1) space per two (2) employees
9. Retail and Office Buildings	One (1) space per 200 square feet of gross floor area
10. Commercial Service Buildings, Workshops, Warehouses, etc.	One (1) space per 800 square feet of gross floor area
11. Any of the above uses found by the Zoning Administrator or Planning Commission to have unique parking needs or any use not enumerated above.	As specified by the Zoning Administrator or Planning Commission

(b) Location of Parking Area

- (1) The parking area shall be on-site unless, due to unusual circumstances, proposed off-site parking is found by the Zoning Administrator or Planning Commission to be reasonably acceptable.
- (2) No on-street parking shall satisfy any of the parking requirements of Section 28-29(a).

(c) Standard Parking Arrangements

- (1) Parking arrangements shall be in accord with one or a combination of illustrations shown below in Figures 1 through 6. Any variation to parking arrangements illustrated below shall be approved by the Zoning Administrator.

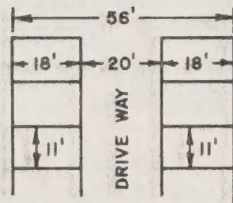


FIG. 1
90° PARKING

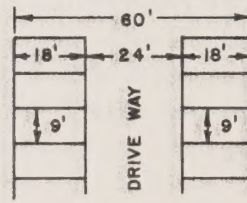


FIG. 2
90° PARKING

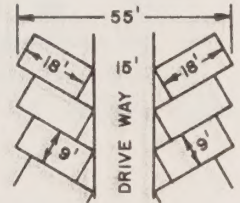


FIG. 3
60° PARKING

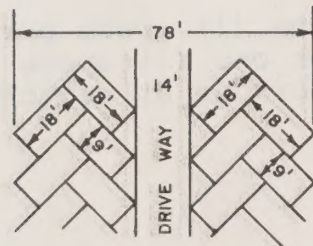


FIG. 4
45° PARKING

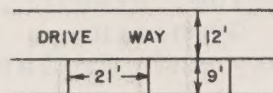


FIG. 5
PARALLEL PARKING

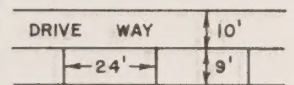


FIG. 6
PARALLEL PARKING

- (2) All parking area designs shall limit direct access to and from adjacent public thoroughfares to a minimum of common driveways serving groups of parking spaces.

(d) Curb Openings

- (1) The width, placement and construction of curb openings shall conform to the requirements of the Public Works Director.

(e) Grading and Drainage

- (1) The grading and drainage of all parking areas shall conform to the requirements of the Public Works Director.

(f) Surfacing and Marking

- (1) The parking area shall be maintained in good condition at all times and shall be surfaced in a manner approved by the Zoning Administrator or Planning Commission to be consistent with the type and level of use so as to provide safe and convenient use in accord with the following guidelines:
 - a. Parking areas used the year around shall be surfaced with asphaltic concrete or its equivalent, except that low intensive uses may be surfaced with gravel or its equivalent.
 - b. Parking areas used periodically shall be surfaced with gravel or its equivalent, except where special circumstances as determined by the Zoning Administrator or Planning Commissioner warrant otherwise.
- (2) Markings for parking spaces, entrances, exits and circulation directions shall be consistent with the type and level of use as determined by the Zoning Administrator or Planning Commission, and shall remain discernible at all times.

(g) Driveway Widths

- (1) The minimum width of a driveway for two-way traffic shall be eighteen (18) feet.
- (2) The minimum width of any driveway shall be ten (10) feet.

(h) Fencing

- (1) A minimum six-foot high solid wall or fence shall be constructed pursuant to a design approved by the Zoning Administrator to separate parking and other commercial, industrial and non-residential uses abutting residential districts or residences. Upon good cause shown by the applicant, the Zoning Administrator may waive the requirement for fencing.

(i) Lighting

- (1) The Zoning Administrator may require lighting. All lighting shall be designed to minimize conflicts with surrounding properties and shall be approved by the Zoning Administrator.

- (j) All pertinent and applicable laws and regulations enforced by the State of California, Federal Government or their agencies, pertaining to provisions for handicapped parking shall be complied with by the builder or permittee.

Sec. 28-30. PERFORMANCE STANDARDS.

- (a) Applicability. No land or building in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust, odor or other form of air pollution; heat; cold; dampness; radio-activity, electrical or other disturbances; glare; liquid or solid refuse or wastes; or other substance, condition or element, referred to herein as dangerous or objectionable elements, in such a manner or in such amount as to adversely affect the surrounding area or adjoining premises; provided, that any use permitted by this chapter may be undertaken and maintained if it conforms to the regulations of this section limiting dangerous and objectionable elements.
- (b) Performance standards procedure.
- (1) Should the Planning Commission believe that a proposed use in any district is likely to create or emit dangerous or objectionable elements, it may invoke the performance standards procedure contained herein.
 - (2) Whenever the performance standards procedure has been invoked for a proposed use, zoning-building permits therefor may be issued only as authorized by the Planning Commission.
 - (3) Whenever the performance standards procedure has been invoked, the applicant shall submit, in addition to the application for a zoning-building permit, a plan in duplicate and supplemental statement of the proposed machinery, processes and products, and specifications or standards for the mechanisms and techniques to be used in obviating the emission of dangerous and objectionable elements as set forth in this section.
 - (4) If the Planning Commission determines the proposed use may cause the emission of dangerous or objectionable elements, the Planning Commission may refer the applicant to one or more expert consultants qualified to advise as to whether a proposed use would adversely affect surrounding areas or adjoining premises by the creation or emission of dangerous or objectionable elements for investigation and report. Such report shall set forth definite findings as to the actual performance of the proposed use, and in a positive and concise manner, recommend such additional installations or safeguards or devise such standards to be applied as would obviate the creation or emission of dangerous or objectionable elements. Such consultant or consultants shall address his report to the Planning Commission and a copy to the applicant at the same time.

Sec. 28-32. ARCHITECTURAL APPROVAL.

The purpose of architectural approval is to promote the orderly and harmonious development of the county, the stability of land values and investments and the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of structures or additions or alterations thereto of unsightly, undesirable or obnoxious appearance. A zoning-building permit shall not be issued until architectural approval has been obtained for those structures and buildings for which such approval may be required in the district regulations or elsewhere in this Chapter.

(a) Applicability.

- (1) The provisions of this section shall apply in any C-H, C-G, C-S, C-O, M-L, P or MP district.
- (2) Should it be determined by the Zoning Administrator that any proposed structure will be unsightly, undesirable or obnoxious in appearance, he shall schedule architectural review of the plans of such structures at a regular meeting of the Planning Commission held not less than five days nor more than twenty-one days from the zoning-building permit application filing date. The applicant shall be forthwith notified of the scheduling.

(b) Action.

- (1) The Planning Commission shall have the function, duty and power to approve or disapprove, or to approve subject to compliance with such modifications or conditions as the commission may deem necessary to carry out the purpose of these regulations, the external design of all proposed new buildings or structures for which architectural approval is required. Such decision shall be rendered within thirty days of the regular meeting at which architectural review was scheduled.
- (2) In carrying out the purposes of this section, the Planning Commission shall keep in mind the following principles:
 - a. It is not a purpose of this section that control of architectural character should be so rigidly enforced that individual initiative is stifled in the design of any particular building or substantial additional expense incurred; rather, it is the intent of this section that any control exercised be the minimum necessary to achieve the overall objectives of this section.
 - b. Good architectural character is based upon the suitability of a building for its purposes; upon the appropriate use of sound materials; and upon the principles of harmony and proportion in the elements of the building.

- c. Good architectural character is not, in itself, more expensive than poor architectural character, and is not dependent upon the particular style of architecture selected.
 - d. Where buildings are grouped in close proximity, harmony between individual buildings in any group is of equal importance to the architectural character of any individual building. Similarity of materials, of colors, of landscaping, or character of construction will help to minimize disharmony between buildings in proximity.
- (3) In carrying out the purposes of this section, the Planning Commission shall pay particular attention to on-site signs and general advertising structures, and shall have authority to limit and control the location, number, size, design, lighting, and use of colors in such on-site signs and general advertising structures, in order to promote the orderly and harmonious development of the commercial and industrial districts of the county.

Sec. 28-33. AIRPORT FLIGHT OBSTRUCTION AREAS.

- (a) Purpose. The purpose of the airport flight obstruction areas is to prevent the creation of flight obstruction and, thereby protect the lives and property of users of airports and of occupants of land in the vicinity of airports, and to prevent destruction or impairment of the utility of airports and the investment therein.
- (b) Airport reference point. Each airport shall submit, to the Zoning Administrator or Planning Commission, an airport reference point for approval, which, when approved, shall be recorded together with its elevation above sea level on the appropriate zoning map. Elevation shall be based on the U.S. Coast and Geographic Survey Datum.
- (c) Airport classification. Each airport shall be classified as either personal, secondary, feeder, trunk line, express, continental, intercontinental, intercontinental express, in accordance with Civil Aeronautics Administration of the United States Department of Commerce standards and section 21666 of the Public Utilities Code of the state, or military.
- (d) Airport flight obstruction areas. For each classification of airport, the following airport flight obstruction areas are hereby established, the designation of which and restrictions of height therein shall be combined with the designations of the use districts in which such airport flight areas occur:
 - (1) Transitional area (V area). An area adjacent to the approach areas (W, W-1 and W-2) which extends outward from the approach areas.
 - (2) Inner approach area (W area). An area a distance of two hundred feet from each end of each runway extending for a distance of ten thousand feet and centered on the extended center line of the runway, being (a) feet wide at the near end of the runway and flaring to (b) feet wide at ten thousand two hundred feet from the end of the runway.
 - (3) Military inner approach area (W-1)--Military airport only. An area a distance of two thousand seven hundred fifty feet from each end of each runway, extending for a distance of eight thousand two hundred fifty feet, and centered on the extended center line of the runway being (a) feet wide at the near end to the runway and flaring to (b) feet wide at eleven thousand feet from the end of the runway.
 - (4) Outer approach area (W-2 area)--Military airport only. An area a distance of eleven thousand feet from the end of each runway extending for a distance of fifteen thousand feet and centered on the extended center line of the runway at a constant four thousand feet of width.

- (5) Airport safety area (X area). An area extending from the established airport reference point a distance of (c) feet radius from the airport reference point.
- (6) Inner flight area (Y area). An area a distance of (c) feet radius from the established airport reference point and extending to a distance of (d) feet radius from the airport reference point.
- (7) Outer flight area (Z area). An area a distance of (d) feet radius from the established airport reference point and extending to a distance of (e) feet radius from the airport reference point.
- (8) Outer horizontal surface (Z-1 area)--Military airport only. An area a distance of twenty thousand feet radius from the established airport reference point and extending to a distance of fifty thousand feet from the airport reference point.
- (9) Outer conical (Z-2 area)--Military airport only. An area a distance of fifty thousand feet radius from the established airport reference point and extending to a distance of one hundred thousand feet radius from the airport reference point.
- (10) Variance in distance. Distance designated by letter varies according to type of airport classification as given in the following table:

AIRPORT CLASSIFICATION	Distance (feet)				
	a	b	c	d	e
Personal.	200	2200	1850	5,000	8,000
Secondary	250	2250	2000	5,000	8,000
Feeder.	300	2300	2600	6,000	11,000
Trunk Line.	400	2400	3100	7,000	12,000
Express	500	2500	3300	8,500	13,500
Continental	500	2500	3700	10,000	15,000
Intercontinental.	500	2500	4200	11,500	18,500
Intercontinental Express. . .	500	2500	4900	13,000	20,000
Military Airport.	2350	4000	4900	13,000	20,000

- (11) In addition to the foregoing flight obstruction areas, the county recognizes as a flight obstruction the precision instrument approach zone and transitional zones to the Napa Airport in Napa County. The precision instrument approach zone is established at the south end of the precision instrument runway, 36L for precision instrument landings and takeoffs. The approach zone shall have a width of one thousand feet at a distance of two hundred feet beyond the end of the proposed extension of runway 36L, widening, thereafter, uniformly to the width of sixteen thousand feet at a distance of fifty thousand two hundred feet beyond the end of the proposed extension of the runway, its center line being

the continuation of the center line of the runway. The transitional zones extend outward and upward at ninety degree angles to the runway center line and the runway center line extended at a slope of seven feet horizontally for each foot vertically from sides of the approach surface. Transitional zones extend a distance of five thousand feet measured horizontally from the edge of the approach zones and at ninety degree angles to the extended runway center line.

- (12) In addition to the foregoing flight obstruction areas, the County of Solano recognizes as a flight obstruction, the visual approach zone and transitional zones to the University Airport in Yolo County. The visual approach zone is established at the south end of the visual runway 34 for visual landings and takeoffs. The approach zone shall have a width of 250 feet at a distance of 200 feet beyond the end of the proposed extension of runway 34, widening, thereafter, uniformly to the width of 1250 feet at a distance of 5,000 feet beyond the end of the proposed extension of the runway, its center line being the continuation of the center line of the runway. The transitional zones extend outward and upward at 90-degree angles to the runway center line, and the runway center line extended at a slope of seven feet horizontally for each foot vertically from sides of the approach surface. Transitional zones extend a distance of 5,000 feet, measured horizontally, from the edge of the approach zones and at 90-degree angles to the extended runway center line.

(e) Uses permitted. All uses permitted in the district in which the V, W, W-1, W-2, X, Y, A, A-1 or Z-2 area is located subject, however, to the height limitations of this section.

(f) Height regulations. No structure or natural growth shall be permitted at greater heights above the elevation of the recorded airport reference point in the flight obstruction areas than the heights indicated in the following table; provided, that such heights shall not supersede other height limitations of this Chapter of a more restrictive nature:

- (1) V areas: The allowed elevations of approach areas at the edges of the approach areas and increasing at a ratio of seven to one outward and upward, measured at right angles to the axis of the runway except at the extreme end of the approach areas (W and W-2) where the elevation limiting ratio is extended around through ninety degrees until measured parallel to the runway axis. The increase is allowed until restrictive elevations of adjacent X, Y, Z, or Z-1 areas are met.

- (2) W areas: Thirty-five feet at two hundred feet from end of runway increasing in a direct proportion, fifty to one to two hundred thirty-five feet at ten thousand two hundred feet from end of runway.
- (3) W-1 areas--Military airport only: Thirty-five feet at two thousand seven hundred fifty feet from end of runway increasing in a direct proportion, fifty to one, to two hundred feet at eleven thousand feet from end of runway.
- (4) W-2 areas--Military airport only: Two hundred feet.
- (5) X areas: Fifty feet.
- (6) Y areas: One hundred fifty feet.
- (7) Z areas: One hundred fifty feet at (d) feet from the airport reference point, increasing in a direct proportion of one foot in height for each twenty feet horizontally away from the airport reference point.
- (8) Z-1 areas--Military airport only: Five hundred feet.
- (9) Z-2 areas--Military airport only: Five hundred feet at fifty thousand feet increasing in a direct proportion of one foot in height for each one hundred feet horizontally away from the airport reference point to a distance of one hundred thousand feet from the airport reference point.
- (10) In addition to the foregoing height regulations, the county recognizes the height limitations to the precision instrument approach zone to the Napa Airport in Napa County as one foot in height for each fifty feet in horizontal distance beginning at a point two hundred feet from and at the centerline elevation of the end of the proposed extension of runway 36L, and extending to a distance of ten thousand two hundred feet from the end of the proposed extension of the runway; thence, one foot in height for each forty feet in horizontal distance to a point fifty thousand two hundred feet from the end of the proposed extension of the runway. The transition zones slope upward and outward seven feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extend to a horizontal distance of five thousand feet measured at ninety degree angles to the extended runway centerline.
- (11) In addition to the foregoing height regulations, the County of Solano recognizes the height limitations to the visual approach zone to the University Airport in Yolo County as one foot in height for each 20 feet in

horizontal distance, beginning at a point 200 feet from and at the center line elevation of the end of the proposed extension of runway 34, and extending to a distance 5,000 feet from the end of the proposed extension of the runway. The transitional zones slope upward and outward seven feet horizontally for each foot vertically, beginning at the sides of and at the same elevation as the approach zones, and extended to a horizontal distance of 5,000 feet measured at 90-degree angles to the extended runway center line.

Sec. 28-33.6. DESIGNATED WATERCOURSE ENVIRONMENTAL AREAS.

- (a) Purpose and Scope. The purpose of this section is to achieve the following objectives along designated watercourses in Solano County: preserve water quality and riparian habitat; control erosion, sedimentation and runoff; promote wise land use; prevent property loss and damage due to flooding; protect the public health and safety by minimizing danger due to flood and earthquake; and promote recreational opportunities. This purpose is to be accomplished by regulating the type, intensity and extent of development which may occur within specified watercourse environment areas.

For the purposes of this section, "development" is considered to include the following:

- (1) Filling, depositing, excavating or removing any material;
- (2) Construction, reconstruction or enlargement of any structure;
- (3) Any alteration of land or vegetation.

Watercourses or portions thereof governed by this section are designated "protected watercourses" and are shown on the zoning maps.

- (b) Description of Designated Watercourse Environment Areas. A watercourse environment area consists of a "protected watercourse", between the tops of the banks, and a strip of land 25 feet wide extending laterally outward from the top of each bank. The top of the bank is the upper elevation of land which defines the trough shape of the watercourse.

When application is made for development within 150 feet of the top of the bank of a protected watercourse, the boundary of the watercourse environment area may be extended by action of the Planning Director to a maximum of 150 feet laterally outward from the top of each bank wherever riparian habitat, potential erosion problems or slopes in excess of 3:1 are determined to exist. For the purpose of making this determination, riparian habitat shall be deemed to include trees and woody plants over three feet in height which are clearly dependent on the watercourse for their continued existence.

The boundary of the watercourse environment area shall also be extended where necessary to coordinate with flood control and watercourse protection regulations in effect on adjoining properties.

If it is determined that boundary extensions are not necessary, the boundaries of the watercourse environment area shall remain at the 25 foot minimum specified above.

- (c) Uses Prohibited. Any use or activity constituting "development" shall be prohibited within watercourse environment areas excepting those uses and activities allowed and permitted in (d) and (e) below. In addition, industrial, commercial and agricultural uses involving handling or storage of toxic substances are prohibited, excepting application of chemicals to land or crops in the course of agricultural practices.
- (d) Uses Allowed. Grazing of livestock and cultivation of land for agricultural purposes shall be allowed where such use has occurred within the five year period prior to January 1, 1980.
- (e) Uses Permitted. Uses permitted, when carried out according to the Principles and Standards for Development set forth in (f) below, shall include:
 - (1) Restoration and maintenance of watercourse channels and roads.
 - (2) Road construction by public agencies in cases where such construction cannot reasonably be accomplished without infringing upon the watercourse environment area.
 - (3) New structural flood control and water conservation measures, and stock ponds, including channel alterations and levees, only in case of an existing hazard where protection by other means is not practical.
 - (4) Public and nonpublic utility lines.
 - (5) Bridges and their connecting roadways.
 - (6) Fenced access to the watercourse for livestock.
 - (7) Storm drain and irrigation outflow provisions or structures.
- (f) Principles and Standards for Development. The purpose of these principles and standards for development is to insure that development and maintenance activities permitted heretofore are accomplished in a manner which minimizes adverse effects upon the natural or existing topography and vegetation of watercourse environment areas. Erosion in excess of natural levels shall be prevented and riparian vegetation shall be protected utilizing the following basic standards:
 - (1) Riparian vegetation shall not be removed except when necessary to meet public health and safety and flood

control goals, or in connection with development and maintenance activities allowed and permitted hereunder. Removal of riparian vegetation for these purposes shall be limited to the minimum amount necessary.

- (2) Soil disturbance for development projects shall be limited to the smallest surface area and volume of soil practical and for the shortest practical length of time.
 - (3) Surface runoff rates in excess of pre-development levels shall be retarded by appropriate means.
 - (4) Facilities shall be provided to retain sediment produced by development at the developed site.
 - (5) Proposed development and roadway alignments shall be fitted to the topography and soils to minimize erosion.
 - (6) Filling, grading, excavating or obstructing the bed or banks of the stream channel shall be allowed only where no reasonable alternative is available.
 - (7) Development work shall be accomplished between April 15 and October 15. When necessary, extensions of this time period may be granted by the Planning Director on a case-by-case basis.
 - (8) Disturbed areas shall be revegetated by October 15, using indigenous riparian species wherever practical. When necessary, extensions of this deadline may be granted by the Planning Director on a case-by-case basis.
 - (9) Where needed to prevent erosion, exposed soil surfaces shall be hydromulched or stabilized by other erosion control measures prior to October 15. When necessary, extensions of this deadline may be granted by the Planning Director on a case-by-case basis.
- (g) Abatement of Hazards. If it is determined by the Board of Supervisors, or by the Public Works Director as the Board's authorized representative, that a menace to life or property or to riparian habitat or water quality exists as a result of violation of this Section, a written notice shall be issued to the property owner, or other person or agent in control of the property, requiring corrective action to be taken within a specified, reasonable time period. If the requirements of the notice are not complied with in the time period specified, the County may seek injunctive and/or other relief by a civil action against any person or persons participating in the violation.

Sec. 28-34. NONCONFORMING USES.

- (a) The lawful use of land or buildings existing on January 29, 1959, although such use does not conform to the regulations specified by this Chapter for the district in which such land is located, may be continued; provided, that no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use at the time of the adoption of this Chapter; and provided further, that if such use ceases, as hereinafter provided, the subsequent use of such land shall be in conformity to the regulations specified by this chapter for the district in which such land is located.
- (b) Any use for which a use permit is required and may be granted by the terms of this Chapter shall be considered a nonconforming use unless and until a use permit is obtained in accordance with Section 28-27.
- (c) If at any time a building in existence on January 29, 1959, which does not conform to the regulations, including parking regulations for the district in which it is located, be damaged or destroyed by fire, explosion, act of God or act of the public enemy, to the extent of more than sixty percent of the actual value thereof according to the assessment by the county assessor for the fiscal year during which such destruction occurs, the land and building shall be subject to all the regulations specified by this Chapter for the district in which such land and building are located.
- (d) If the actual operation of a nonconforming use of a building ceases for a continuous period of six months, unless the legal owner can establish valid proof to the contrary, such cessation of the nonconforming use shall be considered abandonment. Without further action by the Planning Commission, the building and the land on which the building is located shall be subject to all the regulations specified by this chapter for the district in which such land and building are located.
- (e) Ordinary maintenance and repairs may be made to any nonconforming building; provided, that no structural alterations are made except those required by law or ordinance; and provided further, that such work does not exceed twenty-five percent of the actual value in any one year period.
- (f) Nothing contained in this Chapter shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to January 29, 1959. Actual construction is hereby defined to be the actual placing of construction materials in their permanent position, fastened in a permanent manner; actual work in excavating a basement; or the demolition or removal of any existing structure begun preparatory to rebuilding; provided, that in all cases actual construction work shall be diligently carried on until the completion of the building or structure involved.

- (g) The foregoing provisions shall also apply to nonconforming uses in districts hereafter extended and in new districts hereafter created.
- (h) Any sign which moves, blinks, flashes, oscillates, rotates, pulses in sequence, or is wind-driven or otherwise animated which is lawfully in use on August 28, 1975, although such use does not conform to the regulations specified by this chapter for the district in which such land is located, may continue to be used for a period of three years from August 28, 1975, at which time such nonconforming signs shall be fastened, secured, or corrected so that they no longer move, blink, flash, oscillate, rotate, pulse in sequence, are wind-driven or are otherwise animated; provided, that no such sign shall be enlarged or relocated; and provided further, that if such sign ceases to be used, as provided in subsection (c) above, the subsequent use of such sign shall be in conformity with the regulations specified by this Chapter for the district in which such sign is located.

Sec. 28-35. ZONING ADMINISTRATOR.

- (a) Designation. The Zoning Administrator shall be a qualified member of the planning staff, designated by resolution of the Board of Supervisors upon recommendation of the Planning Commission, who shall normally be available to the general public during regular office hours.
- (b) Duties. The Zoning Administrator shall administer the zoning plan in accordance with the provisions of this Chapter and the instructions of the Planning Commission.

Sec. 28-36. RULES OF PROCEDURE.

The Planning Commission may establish rules of procedure governing all hearings required by this chapter and the laws of the state. Upon the adoption of rules of procedure by the Planning Commission the same shall be filed in the office of the Zoning Administrator and copies of such rules of procedure shall be given to each person requesting the same.

Sec. 28-37. APPEALS.

- (a) The Planning Commission shall have power to hear and decide appeals when it is alleged by the appellant that there is error in any order, requirement, permit, decision or determination made by an administrative official in the administration or enforcement of this Chapter.
- (b) Any person, firm, corporation, unincorporated association, public officer or agency, aggrieved or affected by any determination of this Chapter may, within ten (10) days, file an appeal in writing with the Planning Commission secretary. In the written appeal, the reasons of the appeal shall be outlined. Filing of an appeal shall stay all proceedings until determination of the appeal. Upon receipt of such appeal, the Planning Commission secretary shall set the date for a public hearing, to be held within thirty-five (35) days thereafter. Notice of such hearing shall be published in a newspaper of general circulation within the County, and by posting in the vicinity of the property involved at least ten (10) days prior to such hearing, or by mailing of such notices as may be required by State law.
- (c) The Zoning Administrator shall transmit to the Commission copies of all papers constituting the record of action appealed, including a written statement setting forth the reasons for his decision.
- (d) Upon hearing the appeal, the Commission shall find that the decision appealed from shall be affirmed, reversed or modified. Notice of the Commission's decision shall be mailed forthwith to the original applicant, the person making the appeal and to any other person who has filed with the Commission a written request therefor.
- (e) Any person, firm, corporation, unincorporated association, public officer or agency, aggrieved or affected by any determination of the Planning Commission may, within ten (10) days file an appeal in writing with the Board of Supervisors. In the written appeal, the reasons of the appeal shall be outlined. Filing of an appeal shall stay all proceedings until determination of the appeal. Upon receipt of such appeal, the Board of Supervisors shall set the date for a public hearing, to be held within thirty-five (35) days thereafter. Notice of such hearing shall be published in a newspaper of general circulation within the County, and by posting in the vicinity of the property involved at least ten (10) days prior to such hearing, or by mailing of such notices as may be required by State law.

- (f) Notwithstanding any other provision of this chapter, the Planning Commission, upon its own motion made within ten days from the making of any final order, requirement, decision or determination by the Zoning Administrator, may review, affirm, reverse or modify, wholly or in part, such final order, requirement, decision or determination. Notice of such review shall be delivered or mailed to the Zoning Administrator and the original applicant. The notice shall include a provision for a public hearing to be held within thirty-five days from the date of the motion. Notice of such hearing shall be published in a newspaper of general circulation within the county, and by posting in the vicinity of the property involved at least ten days prior to such hearing, and by mailing such notices as may be required by state law.
- (g) Notwithstanding any other provision of this chapter, the board of supervisors, upon its own motion made within ten days from the making of any final order, requirement, decision or determination by the Zoning Administrator or the Planning Commission, may review, affirm, reverse or modify, wholly or in part, such final order, requirement, decision or determination. Notice of such review shall be delivered or mailed to the Zoning Administrator, the Planning Commission and the original applicant. The notice shall include a provision for a public hearing to be held within thirty-five days from the date of the motion. Notice of such hearing shall be published in a newspaper of general circulation within the county and by posting in the vicinity of the property involved at least ten days prior to such hearing, and by mailing such notices as may be required by state law.

Sec. 28-38. AMENDMENT OF CHAPTER.

This chapter may be amended by changing the boundaries of districts or by changing any other provision thereof whenever the public necessity and convenience and the general welfare require such amendment by following the procedure of this section.

(a) Initiation. An amendment may be initiated by:

- (1) The verified petition of one or more owners of property affected by the proposed amendment, which petition shall be filed with the Planning Commission, shall be accompanied by a fee or fees as may be set by the Board of Supervisors pursuant to Section 1-18 of this Code. No part of such fee shall be refundable.
- (2) Resolution of intention by the Board of Supervisors;
- (3) Resolution of intention by the Planning Commission.

(b) Public hearings.

- (1) The Planning Commission shall hold a public hearing on any proposed amendment. At least ten (10) days prior to the public hearing, the Planning Commission shall give notice thereof by at least one publication of such public hearing in a newspaper of general circulation within the county.
- (2) In case the proposed amendment consists of a change of the boundaries of any district so as to reclassify property from any district to any other district, the Planning Commission shall give additional notice of the time and place of such hearing and of the purpose thereof by posting in at least three places in the vicinity of the subject property, and by mailing first class, in the United States, a written notice of such hearing, not less than five days prior to such hearing, to the owners of all property involved within three hundred feet of the outer boundary of the proposed amendment, using for this purpose the last known addresses as shown on the records of the County Assessor. Any failure to mail written notices as aforesaid, shall not invalidate any proceedings for amendment of this chapter.
- (3) Following the aforesaid hearing, the Planning Commission shall make its findings and take action to approve or disapprove the proposed amendment. Whenever an approval action is taken, the Planning Commission shall file with the Board of Supervisors an attested copy of a report of its findings and recommendations relative to the approval action taken within ninety days after the notice of the public hearings; provided, that such

time limit may be extended upon mutual agreement of the initiator of the amendment and the Planning Commission. Failure of the Planning Commission to act within ninety days without the aforesaid agreement shall be deemed to be approval of the proposed amendment by the Planning Commission. The Board of Supervisors shall be notified whenever the Planning Commission fails to act. In the absence of an appeal from the Planning Commission's action to disapprove the proposed amendment, the decision of the Planning Commission shall be final.

- (4) Upon receipt of such report from the Planning Commission or upon the expiration of ninety days as aforesaid, the Board of Supervisors shall set the matter for public hearing and shall give notice thereof by one publication in a newspaper of general circulation within the county at least ten days prior to such hearing. After conclusion of the hearing, the Board of Supervisors may adopt the proposed amendment or any part thereof in such form as the Board may deem advisable. The Board may impose conditions to zoning reclassification of property where it finds that such conditions must be imposed so as not to create problems inimical to the public health, safety and general welfare of the county.

The decision of the Board of Supervisors shall be rendered within sixty days after the receipt of a report and recommendation from the Planning Commission, or within sixty days after the report becomes due. Upon the consent of the Planning Commission, any petition for an amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The Board of Supervisors or the Planning Commission, as the case may be, may, by resolution, abandon any proceedings for an amendment initiated by its own resolution of intention; provided, that such abandonment may be made only when such proceedings are before such body for consideration; and provided further, that any hearing of which public notice has been given shall be held.

- (5) Whenever a petition for an amendment to this chapter has been denied, no new petition for the same amendment shall be accepted by the Planning Commission for a period of one year from the effective date of the final denial of the original petition; provided, that upon a showing of a substantial change of circumstances, the Planning Commission may permit the filing of such new petition prior to the expiration of such one year period. Nothing contained herein shall prevent the Board of Supervisors or Planning Commission from at any time initiating any proceedings which either of such bodies may initiate pursuant to this chapter.

- (c) Appeal. Appeal from any disapproval action of the Planning Commission may be made according to the provisions of Section 28-37. Whenever an appeal is filed, the Board of Supervisors may set the matter for a public hearing; provided, that a public hearing shall be held before the adoption of the proposed amendment or any part thereof. Notice of such public hearing shall be given by the Board of Supervisors in the same manner as was given by the Planning Commission prior to its hearings.

- (a) All departments, officials and public employees of the County which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter, and shall issue no such permits or licenses for uses, buildings, or purposes where the same would be in conflict with the provisions of this chapter; and any such permits or licenses, if issued in conflict with the provisions of this Chapter, shall be null and void.
- (b) It shall be the duty of the Building-Zoning Inspector, the Planning Director, the Zoning Administrator, or the Planning Commission to issue a Notice of Violation to any person who has erected, constructed, reconstructed, moved, converted, altered or added to any building or structure in violation of these provisions, or who is using or allowing the use of his property in violation of these provisions. The Notice of Violation shall specify what corrective action is required and when the corrective action shall be completed.
- (c) Any person who sets up, erects, constructs, alters, enlarges, converts, moves, or maintains any building contrary to the provisions of this Chapter, or any person who continues an unauthorized use which has not been brought within the provisions of this chapter as required by the notice of violation, is guilty of a violation of this section.
- (d) Notwithstanding Section 1-7 of this Code, any violation of this chapter shall be an infraction punishable by a fine not exceeding \$100.00 for each separate offense; provided, that in any accusatory pleading charging a violation of this Chapter, if the defendant has been once previously convicted of a violation of this Chapter, such previous conviction shall be charged in the accusatory pleading, and, if such previous conviction is found to be true, or is admitted by the defendant, any violation shall be an infraction punishable by a fine not exceeding \$200.00 for each separate offense; and provided further, that in any accusatory pleading charging a violation of this Chapter, if the defendant has been previously convicted two or more times of a violation of this chapter, such previous convictions shall be charged in the accusatory pleading, and, if such previous convictions are found to be true, or are admitted by the defendant, any violation shall be a misdemeanor punishable by imprisonment in the county jail for a term not exceeding 6 months, or by a fine not exceeding \$500.00, or by both. Every day any violation of this Chapter shall continue shall constitute a separate offense.
- (e) The remedies provided for herein shall be cumulative and not exclusive.

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